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WHARF J-10 DEMOLITION AND IMPROVEMENTS

Draft Environmental Impact Report

Planning Department Case No. 2001.0636E
State Clearinghouse No. 2004072100

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Written comments should be sent to:
Paul E. Maltzer
Environmental Review Officer
San Francisco Planning Department
1660 Mission Street, Suite 500
San Francisco, CA 94103

Draft EIR Publication Date:
October 15, 2005

Draft EIR Public Hearing Date:
November 17, 2005

Draft EIR Public Comment Period:
October 15, 2005 through November 29, 2005

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DATE: October 15, 2005

TO: Distribution List for the Wharf J-10 Project EIR

FROM: Paul E. Maltzer, Environmental Review Officer

SUBJECT: Request for the Final Environmental Impact Report for the Wharf J-10 Project (Case No. 2001.0636E)

This is the Draft of the Environmental Impact Report (EIR) for the Wharf J-10 Project. A public hearing will be held on the adequacy and accuracy of this document. After the public hearing, our office will prepare and publish a document entitled "Comments and Responses," which will contain a summary of all relevant comments on this Draft EIR and our responses to those comments, along with copies of the letters received and a transcript of the public hearing. The Comments and Responses document may also specify changes to this Draft EIR. Public agencies and members of the public who testify at the hearing on the Draft EIR will automatically receive a copy of the Comments and Responses document, along with notice of the date reserved for certification; others may receive such copies and notice on request or by visiting our office. This Draft EIR, together with the Comments and Responses document, will be considered by the Planning Commission in an advertised public meeting, and then certified as a Final EIR if deemed adequate.

After certification, we will modify the Draft EIR as specified by the Comments and Responses document and print both documents in a single publication called the Final Environmental Impact Report. The Final EIR will add no new information to the combination of the two documents except to reproduce the certification resolution. It will simply provide the information in one rather than two documents. Therefore, if you receive a copy of the Comments and Responses document in addition to this copy of the Draft EIR, you will technically have a copy of the Final EIR.

We are aware that many people who receive the Draft EIR and Comments and Responses document have no interest in receiving virtually the same information after the EIR has been certified. To avoid expending money and paper needlessly, we would like to send copies of the Final EIR, in Adobe Acrobat format on a compact disk (CD), to private individuals only if they request them. Therefore, if you would like a copy of the Final EIR, please fill out and mail the postcard provided inside the back cover to the Major Environmental Analysis division of the Planning Department within two weeks after certification of the EIR. Any private party not requesting a Final EIR by that time will not be mailed a copy.

Thank you for your interest in this project.

WHARF J-10 DEMOLITION AND IMPROVEMENTS

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CHAPTER I
SUMMARY

A. PROJECT DESCRIPTION (p. 10)

The project site, Wharf J-10, is located at 2936 Hyde Street in the Fisherman's Wharf area of San Francisco's Northeastern Waterfront. The project site is bounded by the San Francisco Bay to the north, Richard Henry Dana Place (an extension of Leavenworth Street) to the east, Fish Alley to the south, and the Hyde Street Harbor access road to the west.

The approximately 24,400-square-foot project site comprises a wharf substructure and a fish processing building. The existing building on Wharf J-10 is a one-story plus mezzanine (approximately 18-foot tall), rectangular building that measures approximately 350-by-50 feet in dimension, with its greater dimension running east to west along Fish Alley. The building also has an approximately 30-by-50-foot addition attached to the southwestern corner of the building, abutting the Hyde Street Harbor access road. The structure is sited at the water's edge alongside the Fisherman's Wharf Lagoon. Approximately 15 feet of the southern half of the wharf is located on the level upland portion of the site and is partially supported by a redwood timber retaining wall that defines the water's edge (a seawall). Approximately 35 feet of the northern half of the building and an additional 10-foot edge of wharf extends over the water. The wharf substructure consists of a concrete platform supported on approximately 173 creosote-treated[1] timber piles that have been driven into the sloping mudline of the bay. A timber retaining wall underneath the wharf separates the land side of the wharf from the water side of the wharf. The wharf contains additional supporting elements such as stringers and pile cap beams.

The project sponsor, the Port of San Francisco, proposes to demolish the fish processing building and wharf to abate an existing public health and safety hazard caused by the unsafe structure and its potential for collapse. The Wharf J-10 structure would be detached from Wharf J-9 to the east and Wharf J-11 to the west prior to demolition. Most supporting piles would be removed, with the exception of approximately 34 existing wharf edge piles that would be used as marking piles for maritime purposes and for providing strength to the slope. Piles to be removed would be saw cut six inches above the mudline, not pulled or fractured, to avoid disturbing sediments in the Bay. The retaining wall would be removed and up to about four feet of new riprap would be laid in order to stabilize the shoreline. New facing class riprap would be placed over the existing poor-quality riprap, which would serve as an underlayment for the new riprap. The new riprap

[1] Creosote is a wood preservative used in a marine environment.

would be placed along approximately 350 feet of the length of the shoreline bank, three feet inland between the existing retaining wall and the proposed concrete platform. The new riprap would also be placed outboard of the existing retaining wall, extending between five to 25 feet into the Bay, with the narrowest width at the top of the slope and the widest width at the base of the slope, to establish a more stable shoreline. With the building and deck removed, the Port would install guardrails at the east and west ends of the site, where there would be a perpendicular drop; the north edge, about 14 feet from Fish Alley, would terminate at the more gentle riprap bank.

After demolition, the tenants of Wharf J-10 (F. Alioto Fish Company and California Shellfish Company) could rebuild facilities to support their businesses and fishing industry operations. However, it is not known with certainty at this time whether the project would proceed beyond demolition of Wharf J-10, and it is possible that the project would consist only of the work described above.

The potential new construction and use improvements proposed by the existing tenants are as follows:

1) **F. Alioto Fish Company (F. Alioto)** – A portion of Wharf J-10 would be reconstructed, including a new, pile-supported fish processing building for use by F. Alioto within its leasehold on the western side of the project site. Approximately 5,600 square feet of the proposed wharf would be constructed over the water—including an approximately 1,400-square-foot wharf edge. The wharf would contain between 45 and 60 piles and a concrete deck.[2] The proposed fish processing building would contain a total of 17,312 square feet, including approximately 9,822 square feet on the "Wharf" (ground floor) and mezzanine levels and 7,490 square feet of area on the first floor. Approximately 4,200 square feet of the northern side of the building would be built on the portion of the wharf that is over the water and approximately 3,200 square feet would be built on land on the southern side of the building. In addition, a 10-foot-wide wharf deck would span the entire length of the north side of the proposed building over the Bay. The proposed building would be approximately 32 feet in height,[3] measured according to the San Francisco Planning Code, with limited roof elevations of approximately 35 feet above the main entrances on the north and south elevations.

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2 The exact number of piles depends on the foundation plans, which have not yet been completed. For the purposes of this analysis, a generic set of parameters, based on standard engineering assumptions, were used to determine the number of piles that would be needed for the proposed building. If the project uses wood piles, the project would require approximately 60 piles and fender piles. If concrete or steel piles are proposed, the project would require approximately 45 piles and fender piles. Because it has not yet been determined which existing piles are in good enough condition to support new construction, this analysis conservatively assumes that all existing piles would need to be removed.

3 Due to an error, the Initial Study mistakenly stated that the height of the new building would be approximately 40 feet, with limited areas up to 44 feet tall.

2) **California Shellfish Company (Cal Shell)** – A 1,714-square-foot concrete pad would be created over the existing solid fill along the north side of Fish Alley between Leavenworth Street and the F. Alioto Fish Company leasehold. The concrete pad would be used by Cal Shell to support their existing fish handling facilities on the south side of Fish Alley, near the corner of Leavenworth Street. The concrete pad is proposed as an interim improvement to create an open air work area across the street, providing an off-street area for Cal Shell to load and unload their trucks and general work area to carry out fishing industry-related operations without blocking circulation on Fish Alley. While the area of the footprint of the concrete pad would remain the same as provided in Cal Shell's current lease, the configuration of the footprint would be different. The concrete pad would be located inland of the former retaining wall, which would have been removed during demolition.

In addition, there are sections of the Wharf J-10 site that are not currently occupied by tenants and are unleased. The Port worked with the Fisherman's Wharf community to identify four options for possible fishing industry-related uses that could be developed in the unleased portions of the Wharf J-10 site. All of the development options described below are subject to the availability of new sources of funding to support the development and management costs of new fishing industry facilities. Development of new fish handling facilities would depend on fishing industry market conditions and the demand for such new facilities.

Public Fish Receiving Wharf at East End of Wharf J-10 – The Port could construct an approximately 1,800-square-foot fish receiving wharf open to general use by fishing boat operators on the east end of the project site, adjacent to an existing fish hoist at the terminus of Leavenworth Street and the concrete pad proposed by Cal Shell. This wharf would be designed for use by fishing boat operators to transfer their catch from their boats to shore and constructed to allow for an enclosed fish receiving building to be built on top of the deck at a later date. The receiving wharf would require pile-supported construction.

Public Fish Receiving Wharf at West End of Wharf J-10 – The Port could construct an approximately 1,800-square-foot fish receiving wharf on the west end of the project site, adjacent to the access roadway to the Hyde Street Harbor. This wharf would be used by fishing boat operators to transfer their catch from their boats to shore. This wharf would be designed to allow future construction of an enclosed fish receiving building on top of the deck. The receiving wharf would require all new pile-supported construction.

New Fishing Industry Building – The Port could reconstruct an additional portion of Wharf J-10 and construct a new fish handling building atop the new wharf, between the proposed new F. Alioto building and the east end fish receiving wharf site described above. Conceptually, the building would provide approximately 7,000 square feet of fishing industry space on one main level and a partial mezzanine level, similar to space use patterns in the existing Wharf J-10 shed

building, within a building height of approximately 20 feet. Any development of such a facility would depend in large part on successful negotiations and agreement with Cal Shell, because the building footprint would overlap Cal Shell's current leasehold, as well as the interim concrete pad proposed by Cal Shell above. It is not known whether this fishing industry building would be developed by the Port, Cal Shell, or a future tenant.

Floating Boat Repair Dock at Wharf J-10 – The Port could construct a system of floats and ramps for use by fishing boat operators to provide space for minor boat repairs and maintenance. At this time, two options for such type of improvements have been developed.

One option is to construct a floating dock and ramp system in the space between the F. Alioto leasehold site and the east end fish receiving wharf described above. Boats would be able to pull up next to the 125-foot-long dock, which would be connected to a ramp system allowing walking access to the east end fish receiving wharf. The dock edge would allow space for fishing boat operators to load and off-load gear and conduct minor boat maintenance work confined within the vessel. This dock and ramp system could be built compatibly with the fishing industry building concept described in the previous paragraph.

Floating Boat Repair Dock at Foot of Leavenworth Street – Another option would be to develop a working dock for fishing boats off the end of Leavenworth Street, adjacent to the existing fish hoist. The conceptual design, which was proposed by the members of the Crab Boat Owners Association, would consist of an access ramp from the end of Leavenworth Street to a length of floating dock that runs parallel to Wharf J-10. This design would allow for vessels to berth on both sides of the floating dock and conduct minor fishing vessel maintenance that is confined within the vessel. As conceived, this concept could affect another fishing facility operated by Cal Shell located immediately to the east at Wharf J-9 (which is separate from the Cal Shell facilities at Wharf J-10 and across the street on the south side of Fish Alley). Any plans to pursue this set of dock and ramp improvements would require discussions and agreement with Cal Shell.

B. MAIN ENVIRONMENTAL EFFECTS

This environmental impact report, for the Wharf J-10 Demolition and Improvements project, focuses on issues in regard to historic architectural and archeological resources. All other potential environmental effects were found to be at a less-than-significant level or to be mitigated to a less-than-significant level with mitigation measures to be imposed and implemented by the project sponsor. Land use and hazardous materials and hazardous wastes are included in the EIR for informational purposes. (Please see the Initial Study, included in this document as Appendix A, for analysis of other issues.)

LAND USE, PLANS, AND ZONING (p. 38)

The Initial Study, published on July 17, 2004, found that, because the land uses at the site would not change under the proposed project, there would be no significant environmental effects on land use. A discussion is included in the EIR for informational purposes only. The proposed project would be consistent with the policies and plans that apply to the project site, including the C-2 (Community Business) Zoning District, the San Francisco General Plan, and the Port's Waterfront Land Use Plan.

In a study prepared in September 2001 by Architectural Resources Group (ARG), Wharf J-10 was identified as being part of an architectural character district for which the Port subsequently adopted design criteria. The proposed new construction on a portion of the site, should it occur as currently proposed, would be inconsistent with certain of the design criteria. While not a significant impact under CEQA, an improvement measure has been identified under which the Port would require the proposed new construction to be consistent, to the maximum extent feasible, with the design criteria.

CULTURAL RESOURCES (p. 52)

HISTORIC ARCHITECTURAL RESOURCES

In the 2001 ARG study, Wharf J-10 was identified as a contributing resource to a potential California Register-eligible historic district due to its role in the history of the fishing industry in San Francisco. The proposed project would demolish Wharf J-10, which would result in an adverse impact to the building, as a contributing resource, and to the historic district, as well.

ARCHEOLOGICAL RESOURCES

The project site is sensitive for submerged prehistoric and historical archeological resources that are potentially eligible for the California Register. Early prehistoric resources may lie within San Francisco Bay submerged by sediment deposition and the rise in sea-level since the last period of glaciation. In the historic period, the project site was not occupied until the construction of the existing wharf in 1919. However, there is evidence that two Gold Rush period shipwrecks are located in this vicinity, and so they may be present within the project site: the *Tonquin* (sunk in 1849) and the *Carlota* (sunk in 1850). Pile driving activities for new construction under the proposed project could adversely affect these archeological resources.

HAZARDOUS MATERIALS AND HAZARDOUS WASTES (p. 64)

Although the Initial Study determined that the proposed project would not result in any significant impacts (after mitigation) from hazardous materials and hazardous wastes during implementation of the proposed project, a discussion of this topic is included in the EIR to

provide more background information regarding the history of uses on the project site and in the surrounding area, the existence of hazardous materials resulting from past and present uses, and the potential for exposure to hazardous materials on the project site during implementation of the proposed project. The EIR also includes a more thorough discussion regarding the contamination at the former Mobil Oil Bulk Terminal site (440 Jefferson Street) and the ongoing remediation efforts at that location.

C. AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

The primary issue of controversy that has been identified is the demolition of this historical resource and whether it is necessary. As described in Chapter II, Project Description, however, Wharf J-10 is in an advanced state of deterioration and poses a public health and safety hazard in its current condition. Demolition is the only financially feasible option for removing this health and safety hazard.

The Port Commission would decide whether to approve or disapprove the proposed project after review and certification of this EIR by the Planning Commission, and, if appealed to the Board of Supervisors, affirmation of the certification of the EIR by the Board. In selecting or rejecting project alternatives, decision makers may also use other information in the public record.

D. MITIGATION AND IMPROVEMENT MEASURES (p. 78)

MITIGATION MEASURES

CULTURAL RESOURCES

Historic Architectural Resources

1. Detailed recordation of the Wharf J-10 building and substructure prior to demolition would partially mitigate the loss of the historical resource. In May 2003, the Port retained ARG to prepare archival-quality photographs and documentation of Wharf J-10. ARG's report includes:

    - Architectural Recordation Form; and
    - Fourteen black-and-white (exterior) archival-quality photographs; and
    - Original 1919 building plans.

    Recordation provides important historical information that minimizes, but does not fully mitigate, the loss of historical resources and features. The documentation of the building would be considered for both reconstruction and archival purposes. Implementation of this mitigation measure would reduce the impact to historical resources, but not to a less-than-significant level. The loss of the Wharf J-10 would be a significant and unavoidable

impact. Significant impacts to historical resources could only be reduced to a less-than-significant level by selection of Alternative A (see Chapter VI, Alternatives).

Archeological Resources

2. The project sponsor shall retain the services of an archeological consultant who meets the professional qualifications of a marine archeologist as specified in Public Resources Code Section 6313(e). The archeological consultant shall undertake an archeological testing program and, if determined warranted by the Environmental Review Officer (ERO), an archeological data recovery program as specified herein. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the ERO and be conducted prior to any onsite project activities that would disturb buried and/or submerged archeological resources. Study results shall be used by the ERO to modify, as necessary, the project to ensure that significant resources are preserved, salvaged, or documented as required by law, rule, or regulation, and as detailed in Chapter IV, Mitigation Measures.

IMPROVEMENT MEASURE

Land Use and Planning

1. Prior to approval of a new building for F. Alioto or of other new construction on the Wharf J-10 site, the Port shall review the design(s) for consistency with the Design Criteria for Seawall Lots 302 & 303 (Fish Alley Area) included in the Waterfront Land Use Plan (WLUP) Design and Access Element. The Port shall ensure that any design approved for construction is consistent with the design criteria to the maximum extent feasible consistent with other WLUP policies, including ensuring the continuation of fishing industry operations at Fish Alley, and consistent with existing lease provisions and other requirements.

E. ALTERNATIVES TO THE PROPOSED PROJECT (p. 91)

A. NO PROJECT

This alternative would entail no change to the site. The existing building and wharf substructure would not be demolished and would not be replaced with a new fish processing facility, a concrete staging area, or a fish receiving wharf.

Under this alternative, there would be no immediate effects on historical resources. However, given the advanced state of deterioration of the existing Wharf J-10 building and substructure, it is likely that the wharf would ultimately collapse into the Bay, thus resulting in an adverse impact on the eligibility of the historic district for the California Register. In addition, this impact would not be mitigated under this alternative because there would be no documentation of the building. Under this alternative, there would be no immediate effects on archeological resources because

there would be no pile driving activities, unless or until the structure were to collapse and be replaced.

B. HISTORIC REHABILITATION OF WHARF J-10 WITH NEW SUBSTRUCTURE

This alternative would re-situate the building on a reconstructed substructure and rehabilitate the building in accordance with the WLUP's Fish Alley Design Criteria. Due to the deterioration of the substructure that precludes use of construction equipment on, or entry of workers to, the site, reconstruction of the substructure would require that the building be suspended off of the ground for the duration of the reparation and stabilization of the wharf substructure. Port engineering staff has theorized that a steel-framed cage-like structure could possibly be built around the existing fish processing building, with the building connected to this cage, to support and stabilize the building during work on the substructure. After stabilization of the substructure, the building would be replaced on its original footprint and rehabilitated according to the Secretary of the Interior's Standards for the Treatment of Historic Properties and in accordance with the design criteria of the WLUP's Fish Alley Amendments. However, given its fragile condition, it is not known with certainty whether this, or another, engineering solution could achieve preservation of the building.

This alternative would avoid demolition of Wharf J-10 and thus would avoid impacts to this building and to the historic district that would occur under the proposed project. However, some impacts would still occur to the submerged archeological resources because it is likely that new piles would need to be driven into the Bay floor as part of the stabilization of the wharf substructure. It is possible that the building would sustain substantial damage during suspension, which would also adversely affect this historical resource. Furthermore, the cost of using a steel-framed suspension device would be prohibitively expensive. Effects related to hazardous materials would be the same as those with the proposed project.

C. RECONSTRUCTION OF WHARF J-10 WITH SALVAGED ELEMENTS

This alternative would entail demolition of Wharf J-10 and construction of a new single-story fish processing building, on a portion of the site, by the F. Alioto Fish Company using salvaged materials from the existing building. The design of the new building would be consistent, insofar as is possible, with the Fish Alley Design Criteria of the Waterfront Land Use Plan Design and Access Element. This alternative would result in similar impacts to most cultural resources as the proposed project, including impacts to the Wharf J-10 and the existing potential California Register-eligible historic district and to submerged archeological resources. However, this alternative would further lessen the significant impact of demolition of the historic resource by retaining aspects of the character of the existing structure through the reuse of its elements on the proposed replacement fish processing facility, although this impact would remain significant and

unavoidable. Furthermore, this alternative would diminish the less-than-significant impact of new construction on two other historic buildings that would remain following demolition of Wharf J-10. Effects related to hazardous materials would be the same as those with the proposed project.

CHAPTER II
PROJECT DESCRIPTION

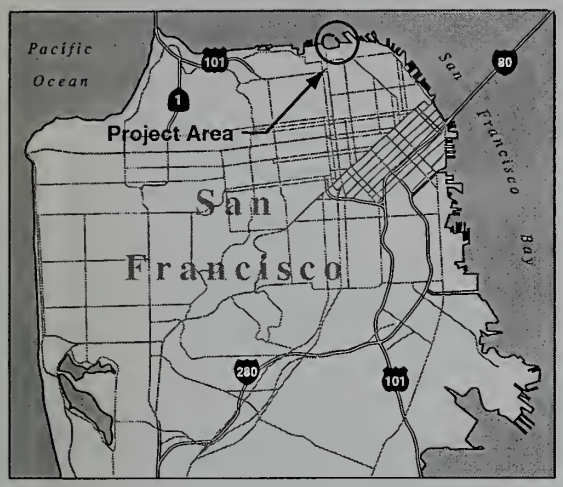
A. SITE LOCATION

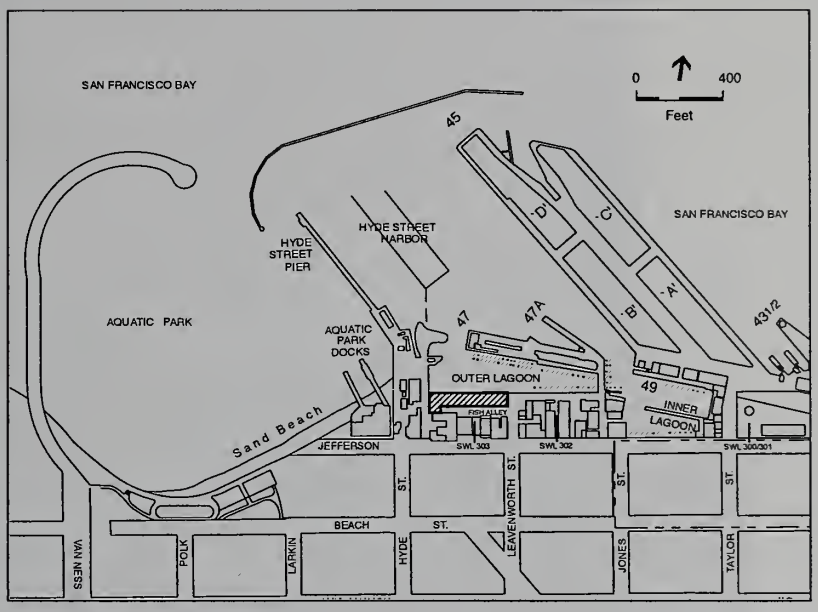
The project site, Wharf J-10, is within the Fisherman's Wharf area of San Francisco's Northeastern Waterfront, an area adjacent to San Francisco Bay, which is characterized by fishing industry and restaurant and retail commercial uses. Wharf J-10 is at 2936 Hyde Street, situated between the Hyde Street Pier and its Commercial Fishing Harbor and Richard Henry Dana Place (an extension of Leavenworth Street), on the north side of Fish Alley, in the block to the north of Jefferson Street, as shown on Figure 1. The project site is within a C-2 (Community Business) Zoning District, Waterfront Special Use District No. 1, and a 40-X Height and Bulk District.

The approximately 24,400-square-foot project site is accessed by land from Fish Alley, north of Jefferson Street, and by water from within the Fisherman's Wharf Lagoon, a part of San Francisco Bay. The portion of Jefferson Street that borders Fish Alley is occupied by restaurants, an insurance brokerage, and fish processing buildings that are occupied by the F. Alioto Fish Company (F. Alioto) and California Shellfish Company (Cal Shell) (see Figure 2). Across Jefferson Street to the south is the Cannery, a shopping complex. The terminus to the Hyde Street Cable Car is located in Aquatic Park one block west, on the eastern side of Hyde Street. Access to the Hyde Street fishing harbor/marina, Wharf J-11, runs along the west side of Wharf J-10.

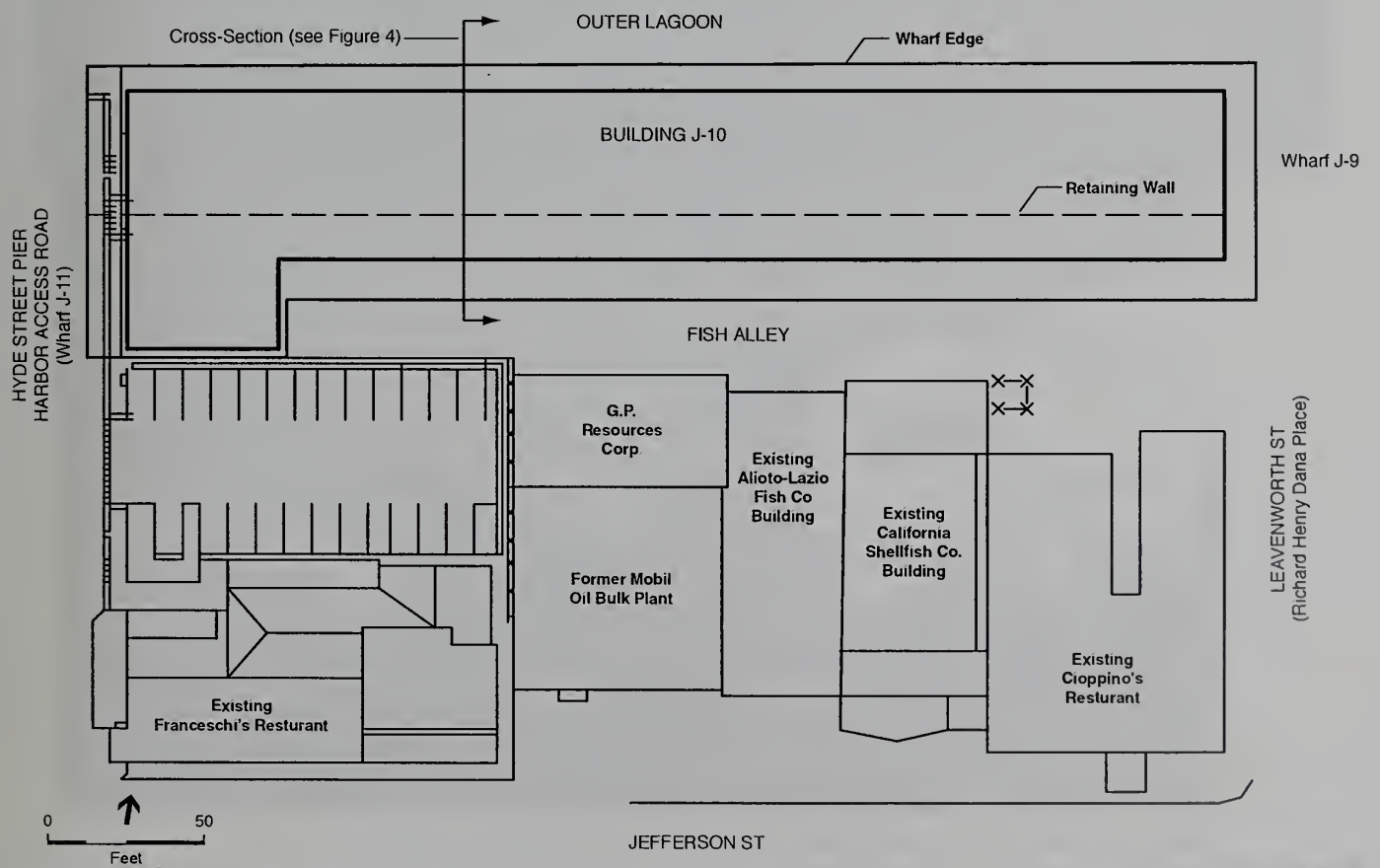
EXISTING PROJECT SITE CONDITIONS

Wharf J-10 extends approximately 350 feet along the block bounded by Leavenworth Street, Hyde Street, Fish Alley, and the San Francisco Bay and comprises a wharf substructure and a building. The existing building on Wharf J-10 is a one-story plus mezzanine (approximately 18-foot tall), rectangular building that measures approximately 350-by-50 feet in dimension, with its greater dimension running east to west along Fish Alley. The building also has an approximately 30-by-50-foot addition attached to the southwestern corner of the building, abutting the Hyde Street Harbor access road. The structure is sited at the water's edge alongside the Fisherman's Wharf Lagoon (see Figure 3). Approximately 15 feet of the southern half of the wharf is located on the level upland portion of the site and is partially supported by a redwood timber retaining wall that defines the water's edge. Approximately 35 feet of the northern half of the building and an additional 10-foot edge of wharf extends over the water (see Figure 4). The wharf substructure consists of a concrete platform supported on approximately 173 creosote-





Project Site



Wharf J-10 Demolition and (Partial) Reconstruction / 203428 ■

SOURCE: Environmental Science Associates

Figure 1
Project Location

View 1: View of north side of Jefferson looking west from Leavenworth Street

View 2: View of north side of Jefferson Street, looking east from Hyde Street

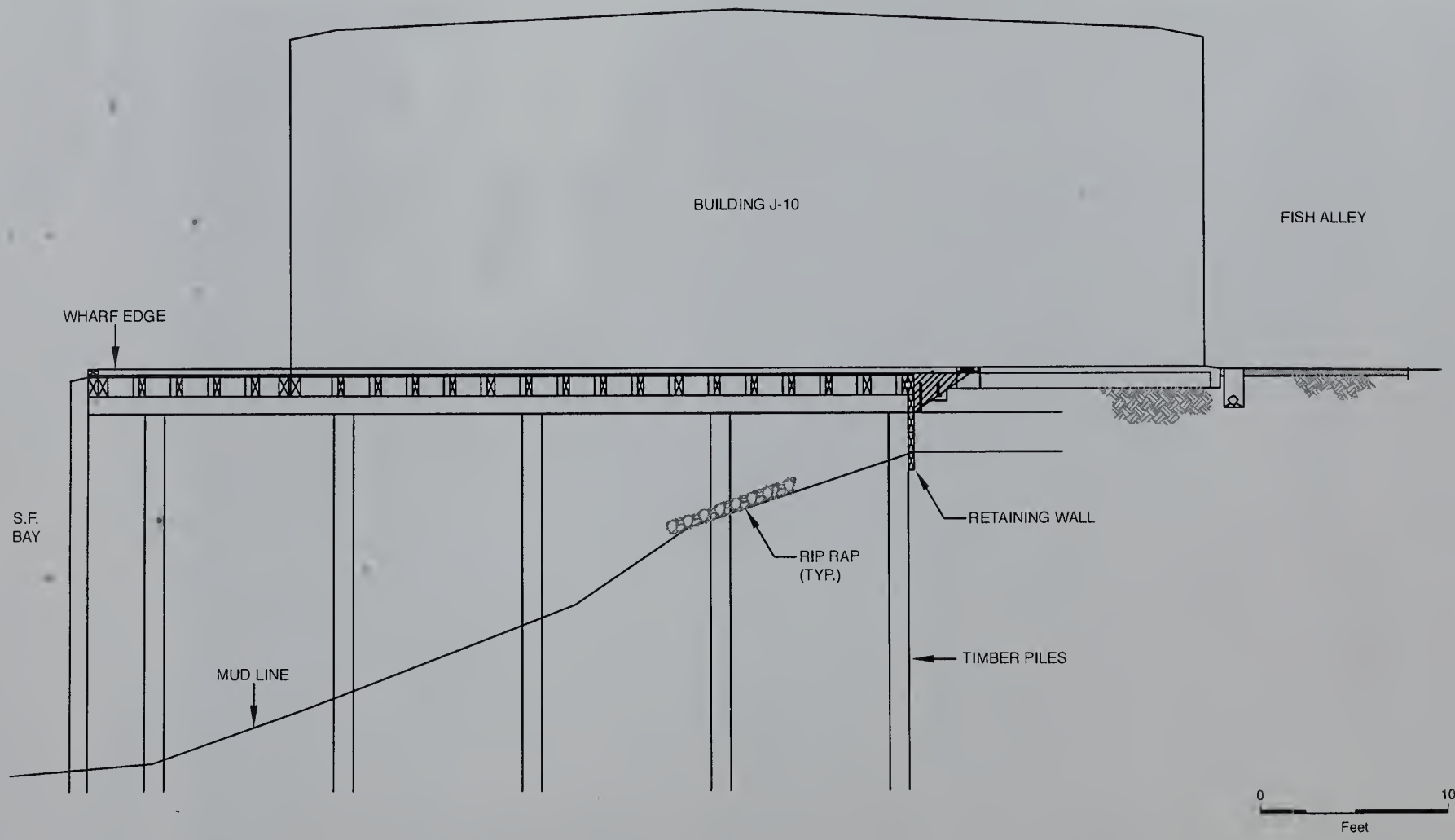
SOURCE: Environmental Science Associates

Figure 2
Views of Jefferson Street

SOURCE: Environmental Science Associates

Wharf J-10 Demolition and (Partial) Reconstruction / 203428 ■

Figure 3
View of Wharf J-10 from
Outer Lagoon, Looking South



SOURCE: Port of San Francisco

Wharf J-10 Demolition and (Partial) Reconstruction / 203428 ■

Figure 4
Cross Section

treated[4] timber piles that have been driven into the sloping mudline of the bay. A timber retaining wall underneath the wharf separates the land side of the wharf from the water side of the wharf. The wharf contains additional supporting elements such as pile cap beams, which rest atop and connect the structural piles, and stringers, which are long horizontal timbers that cross the pile cap beams at right angles. The retaining wall is supported and protected by a layer of rocks, called riprap, that sits atop the sloping shoreline bank that extends approximately 45 feet out into the Bay from the retaining wall. According to the Port, the wooden wall has deteriorated and has lost its structural integrity.

Wharf J-10 is currently connected to Wharf J-9 to the east and Wharf J-11 to the west by pile cap beams and stringers. The Wharf J-10 facility is in an advanced state of deterioration. In 2000, the Port of San Francisco (Port) hired Structus Engineering to assess the condition of the facility, which was documented in the Fishery Wharf J-10 Facility Emergency Engineering Study. The Structus engineering study found that the concrete slab overlying the wood decking in the fish processing building is cracked and deteriorated due to differential movement, and that the existing wharf construction is deteriorated and not capable of supporting the 250-pound-per-square-foot (psf) live load required. In addition, supporting elements, such as the timber piers, stringers, and pile cap beams are failing (see Figures 5 to 7, pp. 16 to 18). The study further found that the structure is not capable of supporting the required 125-psf live load for the mezzanine and that the lateral bracing is not capable of bracing the building enough to be in compliance with current code lateral force requirements. The study concluded that the wharf's structural elements were in danger of collapsing and that the building was not safe for occupation (Structus, 2000).

In August 2000, the Port issued a Notice to Vacate the fish processing building on Wharf J-10 and the supporting wharf substructure because of the potential for imminent collapse due to the deterioration of the substructure, and required the two fishing industry tenants (F. Alioto and Cal Shell) to vacate the site. The two other tenants had previously abandoned their leases in the 1990s. The Port then installed steel brace framing to temporarily shore up the northwest corner of the structure where there were large visible cracks in the exterior walls. Utilities to Wharf J-10 were cut off after the site was vacated in August 2000. Hazardous materials such as lead paint and asbestos have since been removed from the building. The vacation notice and temporary shoring work were carried out by the Port pursuant to its responsibilities to maintain public and life safety of Port facilities, as defined by the San Francisco Building Code. These regulatory responsibilities are separate and discreet from the Port's landlord responsibilities exercised through leases and license agreements for the use of Port property.

[4] Creosote is a wood preservative used in a marine environment.

SOURCE: Port of San Francisco

Figure 5
Conditions of Pile Cap Beam on Column Line 2

Wharf J-10 Demolition and (Partial) Reconstruction / 203428 ■

SOURCE: Port of San Francisco

Figure 6

Progressive Failure of Pile Cap Beam on Column Line 3

Wharf J-10 Demolition and (Partial) Reconstruction / 203428 ■

SOURCE: Port of San Francisco

Figure 7
J-9 – J-10 Interface on Column Line 36
Progressive Loss of End Supports

Wharf J-10 has continued to deteriorate since the tenants were evacuated in August 2000. In November 2002, Port engineers noticed further building deterioration during an inspection of the wharf substructure and building. The most recent deterioration occurred during December 2003, when between 500 and 1000 square feet of the northwestern portion of the wharf decking collapsed into the water. Further damage occurred as a result of a fire on March 28, 2004. A site visit was conducted by a Port engineer on March 29, 2004, to ascertain the extent of the fire damage. The Port reported that three truss structures on the east end of the building appeared to be charred. Two of the trusses suffered minimal damage. However, the third truss suffered substantial damage due to the loss of a cross sectional area approximately one-half inch around bracing members and the bottom chord member. In addition, approximately 5 to 10 percent of the roof was removed by the San Francisco Fire Department to access the building during the fire. The fire did not result in significant structural failures or hazards beyond those previously present (Port of San Francisco, 2004). In December 2004, Port engineers conducted another visual inspection of the facility and found further indications of structural stress.

The Wharf J-10 fish processing facility and wharf substructure were constructed in 1919 by the State Board of Harbor Commissioners, the State agency that was the predecessor to the Port of San Francisco, to accommodate fish packing departments, storerooms and waterside docking facilities, as well as some accessory office use. The building remained in fishing industry use until it was condemned in August 2000. The wood frame building was originally constructed of two-inch ship-lap wood siding and wood trusses, and is supported by wood piles on a wood substructure with a concrete topping slab floor.

The building is Mission Revival in architectural design and has eight arched recessed openings on the north and south facades, as well as a red tile skirt-roof. Although the structure is extant, it is deteriorated, and has been altered on the interior and exterior over its approximately 85-year lifetime. Alterations include the construction of interior mezzanines and replacement of doors and windows, as well as repair of the east end of the building as a result of fire damage in 1997. Wharf J-10 and two other structures in the Fish Alley area, appear to be collectively eligible for the California Register as contributors to a small potential historic district (ARG, 2001).[5]

Groundwater and saturated soil in the area are contaminated by petroleum, likely resulting from the former Mobil Oil Bulk Terminal at 440 Jefferson Street, immediately south of the site across Fish Alley. Mobil (now Exxon Mobil) has been monitoring groundwater at the site since 1992 in compliance with a Regional Water Quality Control Board (RWQCB) order. More details regarding this petroleum contamination were presented in the Wharf J-10 Initial Study report, published in August 2004, which also describes the review and remedial action planning now underway by Exxon Mobil and the San Francisco RWQCB. Additional information regarding

[5] Architectural Resources Group, *Fish Alley Study Area Historic Resources Evaluation and Design Recommendations*, September 2001. Available for review by appointment as part of the project environmental file at the Planning Department, 1660 Mission Street, in Project File No. 2001.0636E.

hazardous materials and the RWQCB process is presented in Chapter III.C of this EIR, Hazardous Materials and Hazardous Wastes.

B. PROJECT CHARACTERISTICS

The Port, in its regulatory capacity to uphold standards under the San Francisco Building Code, proposes to abate the existing public health and safety hazard now present at Wharf J-10 by demolishing the wharf substructure and fish processing building. The Port hired Structus Engineering to head a team of consultants including Architectural Resources Group (ARG), providing historic architectural expertise, and Kahn & Associates, providing expertise on fisheries program and fishing industry needs, to evaluate different preservation and rebuild options of Wharf J-10. The Structus team's analysis concluded that the entire wharf substructure requires replacement or demolition to resolve the life and public safety hazards posed by the deteriorated facility. Hazardous materials such as lead paint and asbestos have already been removed from the building.

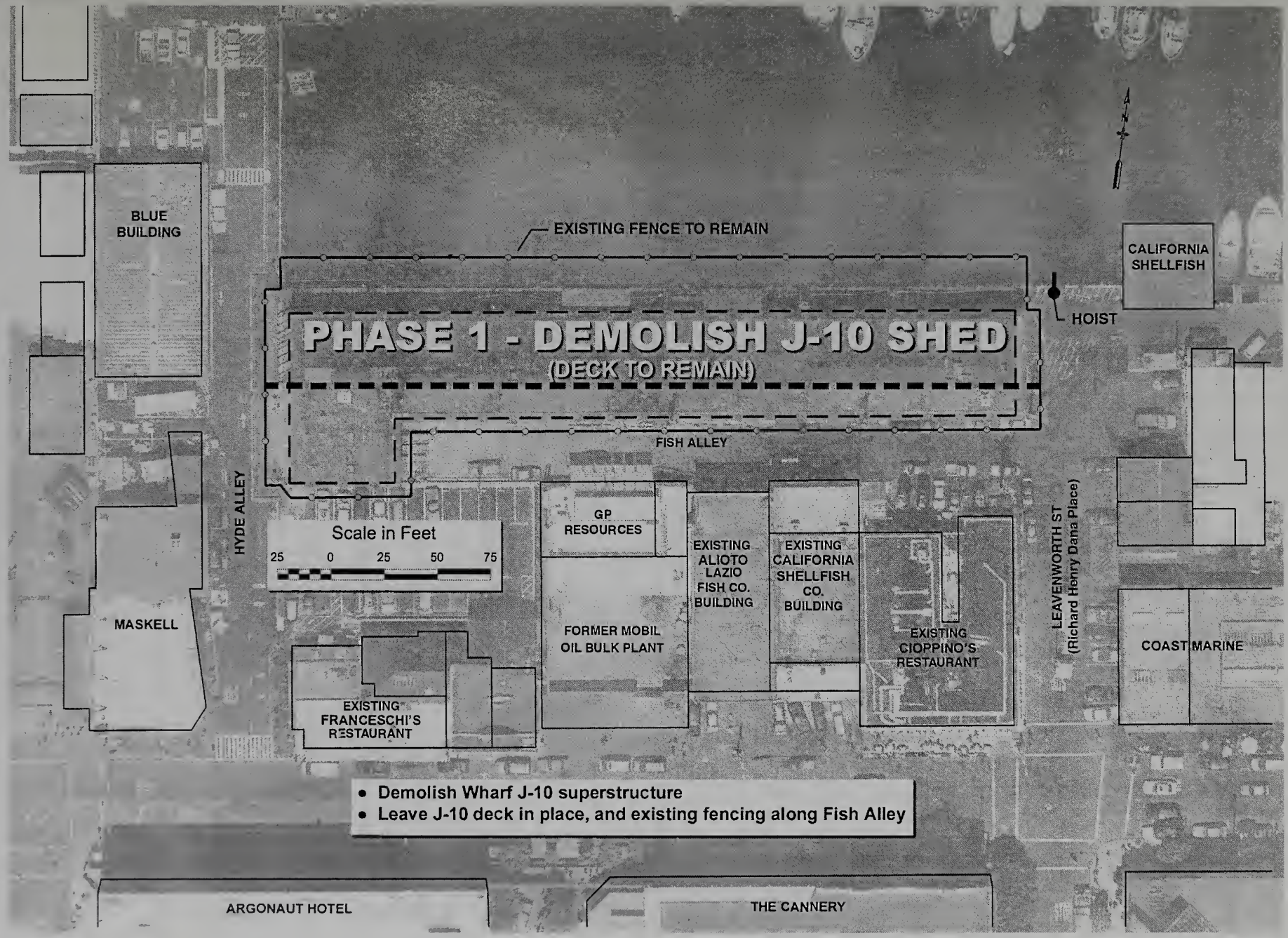
This EIR analyzes the environmental impacts associated with this proposed demolition. In addition, it addresses the potential impacts of proposed construction of replacement facilities for the two current tenants who maintain leaseholds within the project site, F. Alioto and Cal Shell, should these components proceed, and other potential fishing industry-related improvements that are dependent on the availability of new funding sources and Port resources. Each of these components is described further below. The proposed tenant and fishing industry-related improvements are described conceptually, and thus are analyzed at a level of detail that is more general because construction, engineering, or programming details are unknown at this time. It is not known with certainty at this time whether any aspect of the project would proceed beyond demolition of Wharf J-10; that is, it is possible that the project would consist only of the first two phases described below.

PROPOSED DEMOLITION

PHASE I – DEMOLITION OF WHARF J-10 SHED

The first phase of the project would be demolition by the Port and its contractor of the Wharf J-10 shed, as shown in Figure 8. The removal of the shed building would abate a public safety hazard, and relieve the load on the Wharf J-10 substructure, which would be removed in the next phase as described below.[6] Since hazardous materials have already been removed from the building, the

[6] According to the Port, the Wharf J-10 building has become an "attractive nuisance" wherein homeless people have successfully breached the structural barriers and locks and are at risk of injury or death because of the deteriorated condition of the facility; this condition potentially exposes the Port to liability.



Wharf J-10 Demolition and (Partial) Reconstruction / 203428 ■

SOURCE: Port of San Francisco

Figure 8
Phase 1 - Demolish J-10 Shed

demolition process would occur relatively quickly (within approximately six weeks). Demolition staging could take place from the land side or from the water, dependent on the contractor's proposal. This EIR assumes that construction staging would occur from the water side. Regardless of staging location, the public would be barred from the area by the demolition contractor and/or physical barriers to maintain public safety.

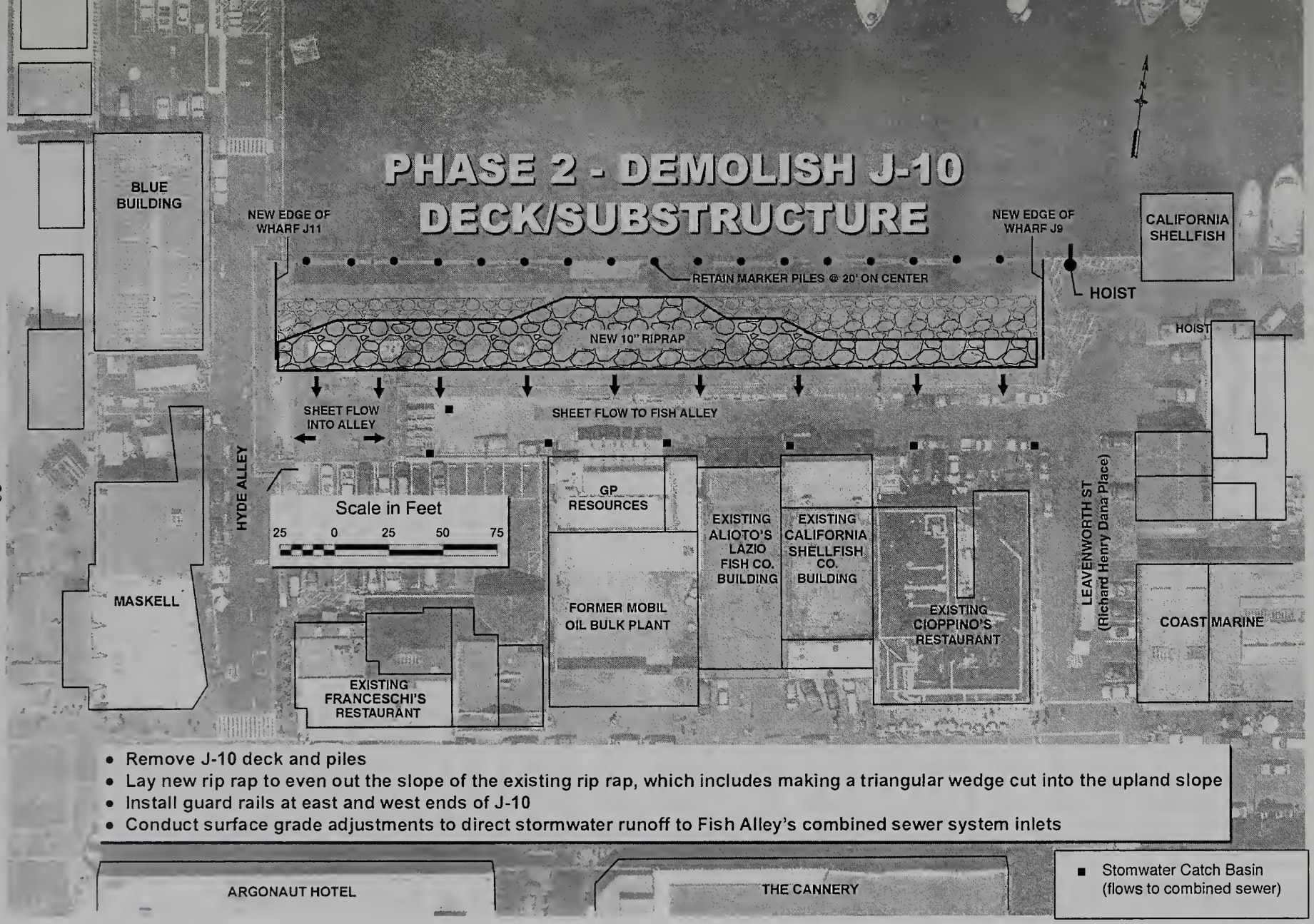
PHASE 2 – DEMOLITION OF WHARF J-10 SUBSTRUCTURE

Immediately following the removal of the Wharf J-10 shed, the Port's demolition contractor would remove the Wharf J-10 deck, substructure and piles, as shown in Figure 9. The Wharf J-10 substructure would be detached from Wharf J-9 to the east and Wharf J-11 to the west prior to removing the deck and substructure. Piles would be cut six inches above the mudline, not pulled or fractured, to avoid disturbing sediments in the Bay. The row of 34 piles closest to the shore would be left in place, maintaining about 20 feet spacing between each pile to protect mariners from hitting the existing rocks that line the shoreline edge ("riprap"). The contractor could stage this phase of the demolition from the land side or the water, depending on the contractor's proposal. This EIR assumes that construction staging would occur from the water side. All building materials and debris would be collected and transported to an upland disposal site.

Where the wharf intersects the land, the upper portion of the existing earth embankment is supported behind an existing retaining wall that is an integral part of the wharf's substructure. As part of the substructure and pile removal, the Port's contractor also would remove the retaining wall because of its deteriorated condition and its lost structural integrity. To reduce the lateral forces on the retaining wall and improve slope stabilization of the shoreline bank, soil located upland of the retaining wall would be excavated and new riprap would be laid. The shoreline bank within the Bay's tidal zone currently is protected by an existing layer of riprap, although certain areas have less riprap protection. The shoreline stabilization proposed in this phase thus includes the addition of new riprap on top of the existing riprap in specified areas to create a consistent slope of the shoreline bank, extending from north of Fish Alley to the Bay. The new riprap would be the same general size as that existing, about 10 inches in diameter, and would be placed upland from the toe (i.e., the outermost bayward reach) of the existing riprap.

In order to achieve the continuous slope desired for protection and stability, the Port estimates that about 45 cubic yards of excavated soil would be removed and approximately 400 cubic yards of new riprap would be placed. The new facing class riprap would be placed along approximately 350 feet of the length of the bank,[7] within a zone about three feet inland from the current retaining wall, to varying points that extend between five to 25 feet toward the Bay (see Figure 10). Figure 11 shows an example of a shoreline protected by riprap.

[7] Facing class riprap generally consists of rock that is uniform in size, color, and material for aesthetic reasons.



- Remove J-10 deck and piles
- Lay new rip rap to even out the slope of the existing rip rap, which includes making a triangular wedge cut into the upland slope
- Install guard rails at east and west ends of J-10
- Conduct surface grade adjustments to direct stormwater runoff to Fish Alley's combined sewer system inlets

SOURCE: Port of San Francisco

Wharf J-10 Demolition and (Partial) Reconstruction / 203428 ■

Figure 9
Phase 2 - Demolish J-10 Deck/Substructure

With the Wharf J-10 building and deck/substructure removed, the Port would install guardrails at the east and west ends of the site, at the transitions to Wharves J-9 and J-11, to protect public safety where there would be a perpendicular drop in grade. Along Fish Alley, the top of the more gently sloped riprap bank would begin about 14 feet north of the Alley, thus providing an adequately sized safe zone that is not expected to warrant installation of guardrails; however, bull rails[8] could be placed along the edge. To ensure that stormwater runoff does not flow untreated and drain into the Bay, the Port would carry out surface grade adjustments along Fish Alley, to direct flows to inlets that feed into the City's combined sewer system.[9]

One existing Exxon Mobil monitoring well would be affected by the proposed project and would have to be properly abandoned prior to demolition. The San Francisco Bay Regional Water Quality Control Board (RWQCB) may require subsequent replacement of this well to allow continued groundwater monitoring. The proposed project would disturb soil up to two feet below ground surface, which is unlikely to be affected by existing groundwater contamination (see Chapter III.C, Hazardous Materials and Hazardous Waste). Soil would be stored on-site in a covered stockpile and properly characterized prior to disposal.

Demolition of the Wharf J-10 shed and substructure and riprap installation would take approximately six months to complete and would be planned to start in 2005, once all required approvals are secured. The Port estimates the cost of demolition and riprap replacement to be approximately $1,000,000.

POTENTIAL RECONSTRUCTION

The following paragraphs describe two potential phases of the project that would entail construction of new facilities to serve existing Wharf J-10 tenants, as well as to make additional improvements to the remainder of the Wharf J-10 site to accommodate other fishing industry users. As noted, there is no certainty at this time that either of these phases of the project would proceed. The tenant improvements would be contingent on one or both tenants making application to, and receiving approval from, the Port to proceed with the improvements and, in particular where construction of new structure(s) are proposed, on the tenant(s)' ability to fund such construction, while the other fishing industry improvements would be contingent on the Port obtaining adequate funding to pursue this component. Should the project not proceed beyond completion of Phases 1 and 2 (which are the only components for which the Port has identified funding with certainty), the finished project would be as described above, with a narrowed Wharf J-10 deck, protected by guardrails to the east and west.

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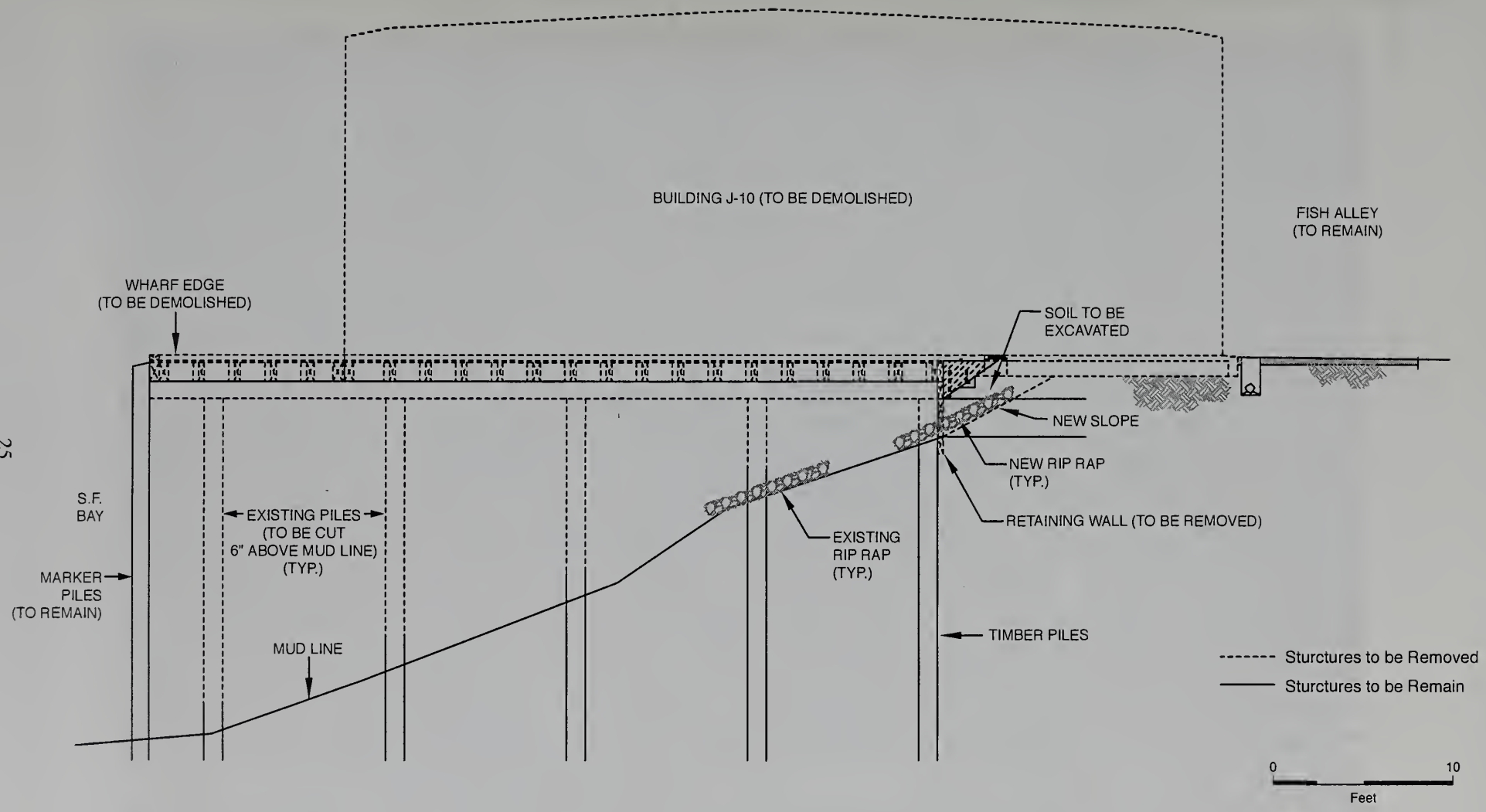
8 A bull rail is a rail or wooden beam attached to a pier or wharf to demarcate the edge.

9 This would incrementally, but not substantially, increase the volume of stormwater flowing to the combined sewer system, inasmuch as runoff from the Wharf J-10 building roof and from a small area (about 400 square feet) of pavement near the intersection of Fish Alley and Leavenworth Street may currently flow directly to the Bay.



SOURCE: Port of San Francisco

Wharf J-10 Demolition and (Partial) Reconstruction / 203428 ■

Figure 10
Proposed Changes to Cross Section

SOURCE: Port of San Francisco

Wharf J-10 Demolition and (Partial) Reconstruction / 203428 ■

Figure 11
Example of Rip Rap to be
Placed at Wharf J-10 Site

PHASE 3 – TENANT REPLACEMENT FACILITIES

Both F. Alioto and Cal Shell have 30 years remaining in their leases for use for fish handling businesses on portions of the Wharf J-10 site, as shown in Figure 12. The Port retains control over the remaining portions of the facility, for which there currently are no lease proposals. The new construction and use improvements proposed by the tenants and analyzed in this EIR are presented below. Each tenant is responsible for securing the applicable approvals necessary to enable their individual construction projects.

F. Alioto Fish Company (F. Alioto) – A portion of Wharf J-10 would be reconstructed, including a new, pile-supported fish processing building for use by F. Alioto Fish Company within its leasehold on the western side of the project site. Approximately 5,600 square feet of the proposed wharf would be constructed over the water—including an approximately 1,400-square-foot wharf edge. The wharf would contain between 45 and 60 piles and a concrete deck.[10] The proposed fish processing building would contain a total of 17,312 square feet, including approximately 9,822 square feet on the "Wharf" (ground floor) and mezzanine levels and 7,490 square feet of area on the first floor (see Figure 13, p. 29). Approximately 4,200 square feet of the northern side of the building would be built on the portion of the wharf that is over the water and approximately 3,200 square feet would be built on land on the southern side of the building. In addition, a 10-foot-wide wharf deck would span the entire length of the north side of the proposed building over the Bay. The proposed building would be approximately 32 feet in height,[11] measured according to the San Francisco Planning Code, with limited roof elevations of approximately 35 feet above the main entrances on the north and south elevations (see Figure 14, p. 30). This project element may require an existing pump station located at Jefferson and Leavenworth Streets to be upgraded in order to accommodate increased sewage from the proposed fish processing building. Upon project implementation, conditions at the pump station would be monitored and, if needed, the pump station would be upgraded to meet future water quality and utility standards.

California Shellfish Company (Cal Shell) – A 1,714-square-foot concrete pad would be created over the existing solid fill along the north side of Fish Alley between Leavenworth Street and the F. Alioto leasehold (see Figure 15, p. 31). The concrete pad would be used to support Cal Shell's

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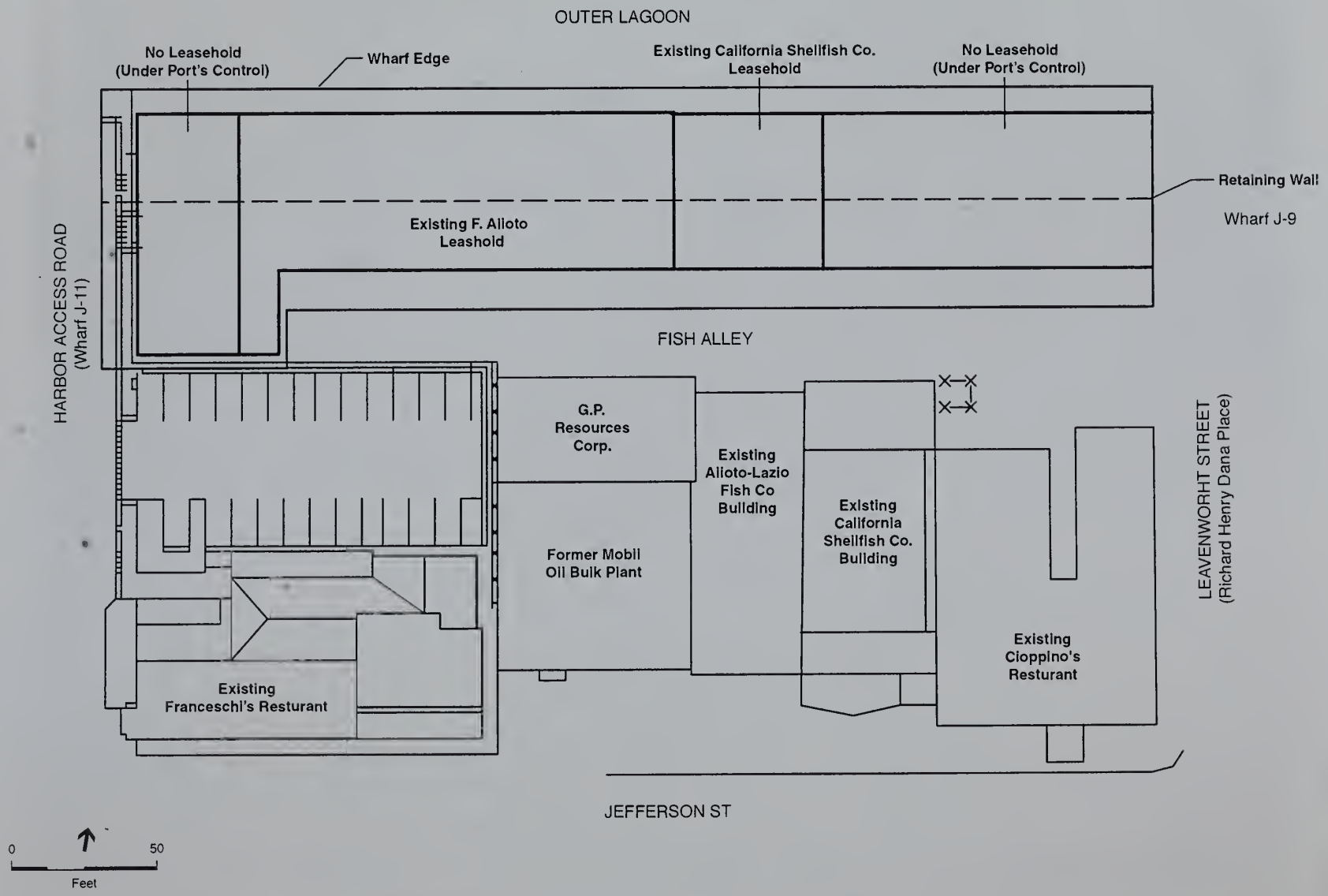
[10] The exact number of piles depends on the foundation plans, which have not yet been completed. For the purposes of this EIR, a generic set of parameters, based on standard engineering assumptions, were used to determine the number of piles that would be needed for the proposed building. If the project uses wood piles, the project would require approximately 60 piles and fender piles. If concrete or steel piles are proposed, the project would require approximately 45 piles and fender piles. Because it has not yet been determined which existing piles are in good enough condition to support new construction, this EIR assumes that all existing piles, except the outer line of "marker" piles, would be removed (cut off) during demolition and that all new piles would be required to support new construction.

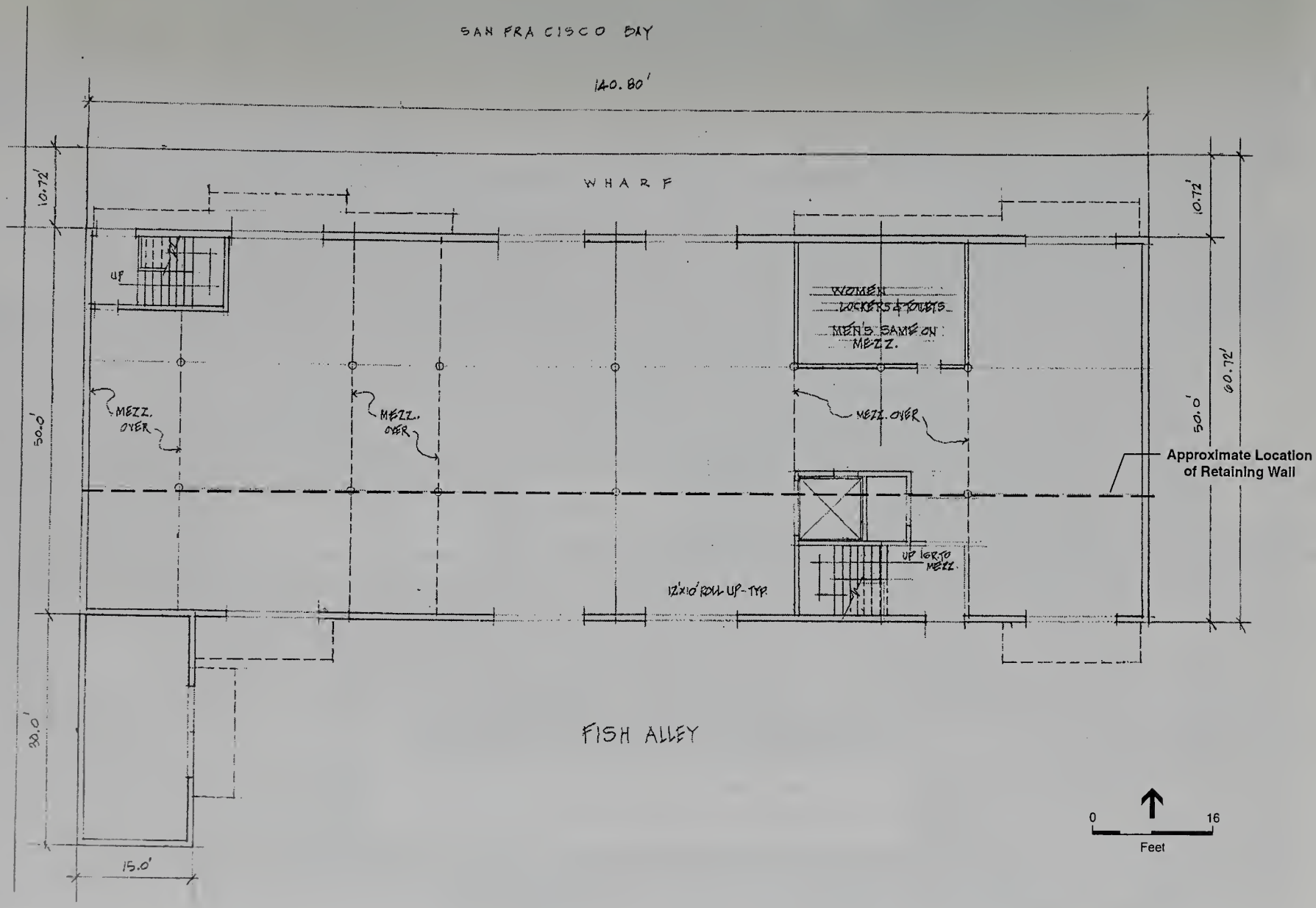
[11] Due to an error, the Initial Study mistakenly stated that the height of the new building would be approximately 40 feet, with limited areas up to 44 feet tall.



SOURCE: Environmental Science Associates

Wharf J-10 Demolition and (Partial) Reconstruction / 203428 ■

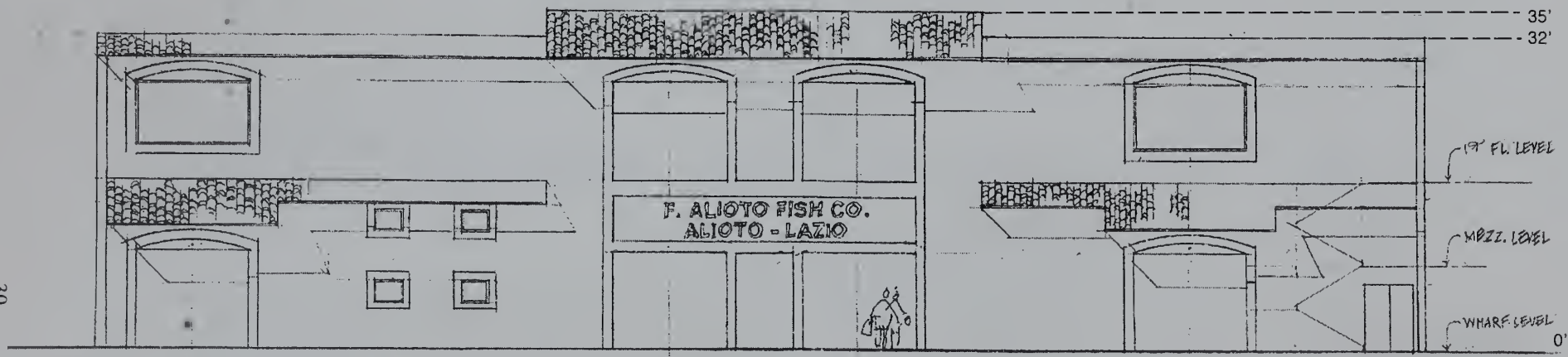
Figure 12
Existing Site Plan



SOURCE: Gilbert Murphy Architect

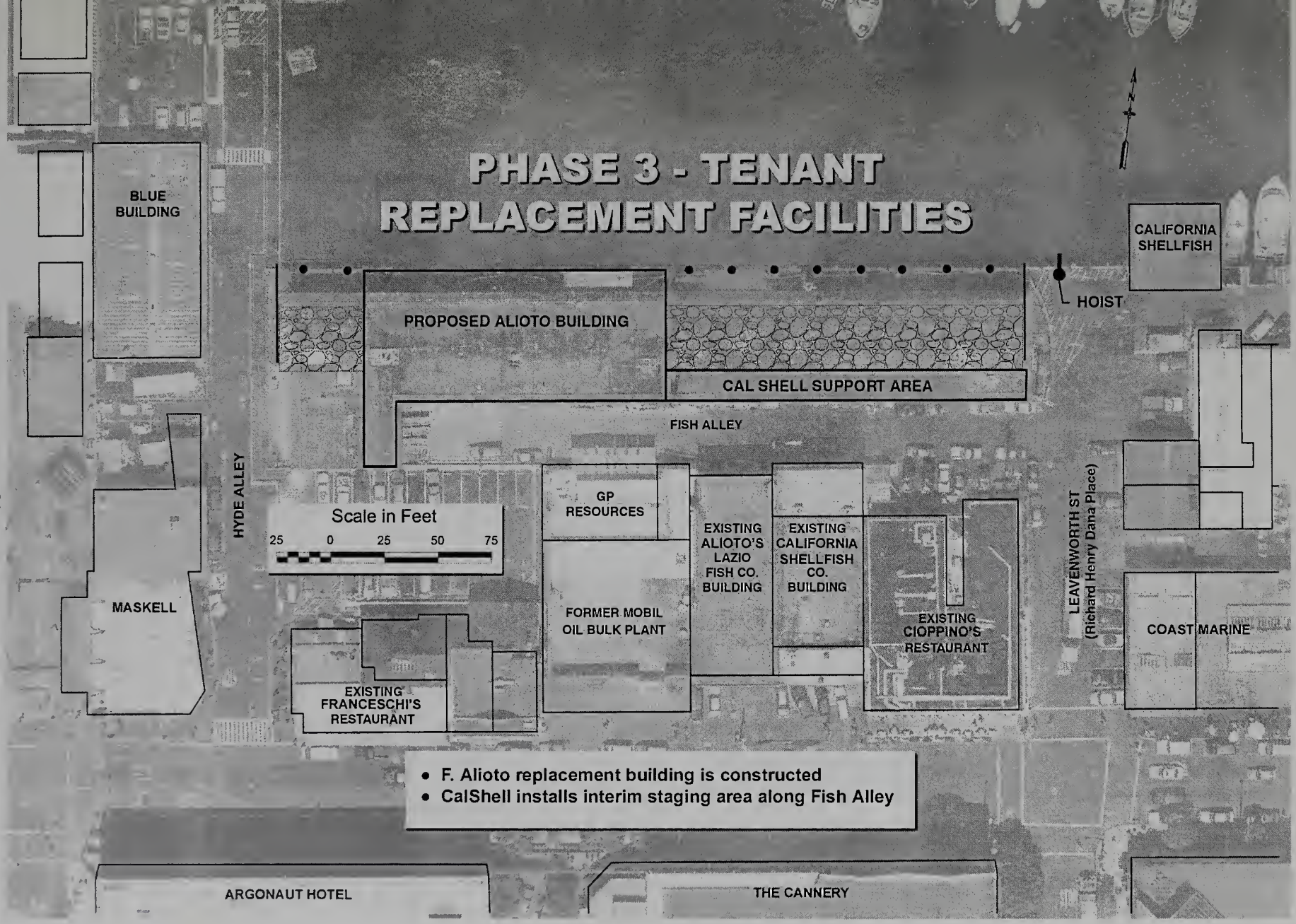
Wharf J-10 Demolition and (Partial) Reconstruction / 203428 ■

Figure 13
Proposed F. Alioto Fish Co.
Fish Processing Facility Plan



SOURCE: Gilbert Murphy Architect

Figure 14
Proposed F. Alioto Fish Co.
Fish Processing Facility Elevation,
Southern Facade, View from Fish Alley



SOURCE: Port of San Francisco

Figure 15
Phase 3 - Tenant Replacement Facilities

existing fish handling facilities on the south side of Fish Alley. The concrete platform is proposed as an interim improvement to create an open air work area across the street, providing an off-street area for Cal Shell to load and unload trucks and general work area to carry out fishing industry-related operations without blocking circulation on Fish Alley. While the area of the footprint of the concrete pad would remain the same as provided in Cal Shell's current lease, the configuration of the footprint would be different. The concrete pad would be located inland of the former retaining wall, which would have been removed in Phase 2.

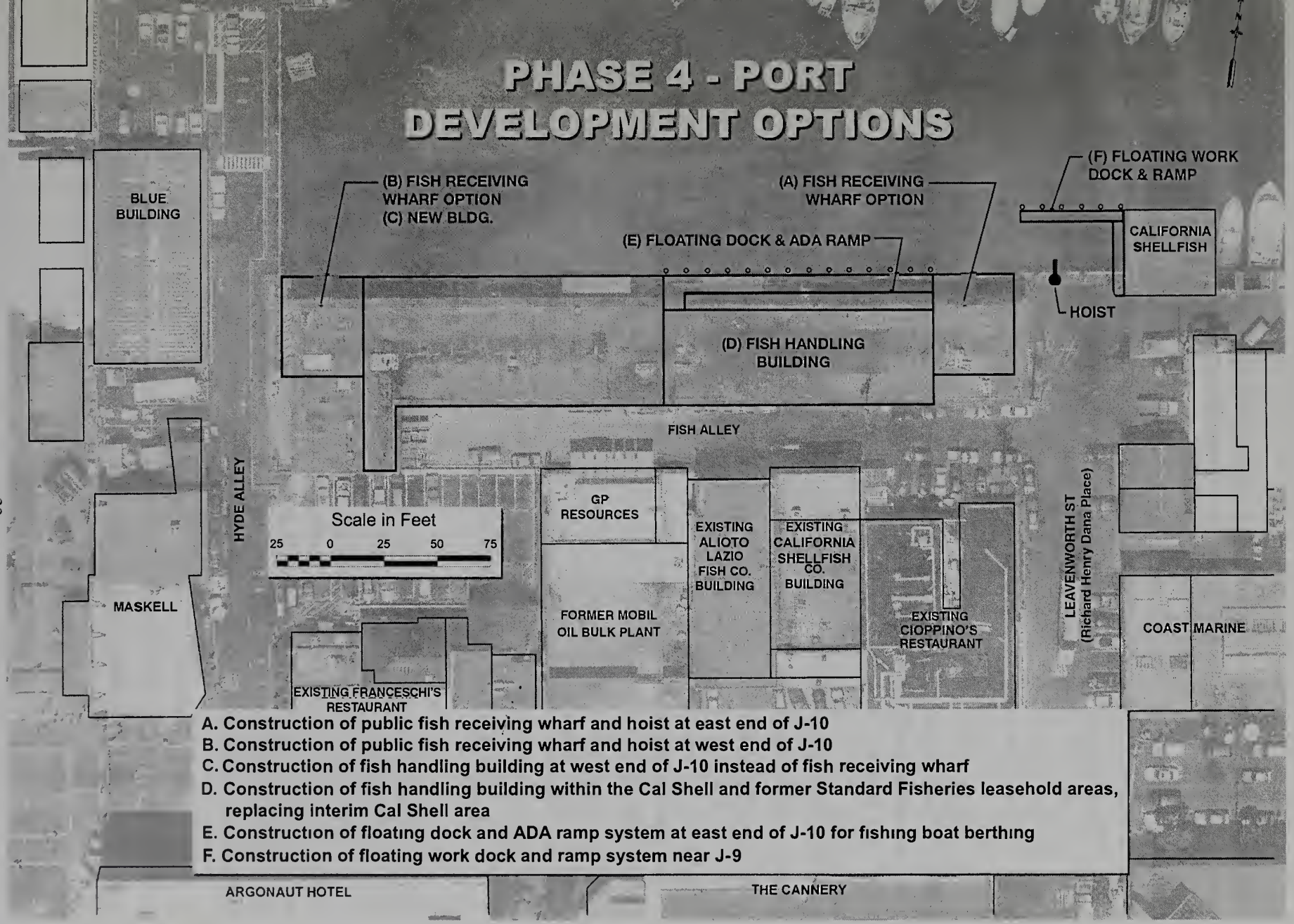
Construction of these elements could begin after demolition. The estimated cost of proposed F. Alioto and Cal Shell improvements are not determinable at this time because no final plans are available.

PHASE 4 – PORT DEVELOPMENT OPTIONS

The Port's Waterfront Land Use Plan policies for the Fish Alley area in general place priority on preserving the small scale maritime-industrial character, and support of fish handling, processing and distribution, restaurants and bars oriented towards the fishing industry and fishing industry support services. Wharf J-10 is located within Fish Alley Zone A, which restricts acceptable long-term uses to fishing industry, maritime office, boat repair and support services, public access, and retail (limited to sale of fish only).

Within this policy framework, the Port has worked with the Fisherman's Wharf community to identify possible fishing industry-related uses that could be developed at the Wharf J-10 project site, for unleased portions of the site. All of the development options described below and shown in Figure 16 are subject to the availability of new sources of funding to support the development and management costs of new fishing industry facilities. All of the Phase 4 development options described below are presented at a conceptual level with little detail. Development of new fish handling facilities would depend on fishing industry market conditions and the demand for such new facilities. The actual development of these facilities would be subject to modification and refinement during detailed construction design and engineering, which may trigger the need for further environmental review. The Port development options for Wharf J-10 are described below, and are illustrated in Figure 16.

(A) Public Fish Receiving Wharf at East End of Wharf J-10 – The Port could construct an approximately 1,800 square-foot fish receiving wharf open to general use by fishing boat operators on the east end of the project site, adjacent to an existing fish hoist at the terminus of Leavenworth Street and the concrete pad proposed by Cal Shell described in Phase 3, above. This wharf would be designed for use by fishing boat operators to transfer their catch from their boats to shore and constructed to allow for an enclosed fish receiving building to be built on top of the deck at a later date. The receiving wharf would require pile-supported construction. At this time, it is unknown as to whether any of the existing piles at the east end of Wharf J-10 could



SOURCE: Port of San Francisco

Figure 16
Phase 4 - Port Development Options

support this structure. This EIR assumes that construction of the fish receiving wharf would involve removal of all existing piles and driving of new piles to support the proposed facility.

(B) Public Fish Receiving Wharf at West End of Wharf J-10 – The Port could construct an approximately 1,800-square-foot fish receiving wharf on the west end of the project site, adjacent to the access roadway to the Hyde Street Harbor. This wharf would be used by fishing boat operators to transfer their catch from their boats to shore. This wharf would be designed to allow future construction of *(C) An Enclosed Fish Receiving Building* on top of the deck. The receiving wharf would require all new pile-supported construction.

(D) New Fishing Industry Building –The Port could reconstruct an additional portion of Wharf J-10 and construct a new fish handling building atop the wharf between the proposed new F. Alioto building described in Phase 3, above, and the east end fish receiving wharf site described as Option A, above, and shown in Figure 16. Conceptually, the building would provide approximately 7,000 square feet of fishing industry space on one main level and a partial mezzanine level, similar to space use patterns in the existing Wharf J-10 shed building, within a building height of approximately 20 feet. New piles, roughly comparable in number to those necessary for the wharf supporting the F. Alioto building, would be required. Any development of such a facility would depend in large part on successful negotiations and agreement with Cal Shell, because the building footprint would overlap Cal Shell's current leasehold, as well as the interim concrete pad proposed by Cal Shell in Phase 3, above. It is not known whether this fishing industry building would be developed by the Port, Cal Shell, or a future tenant.

(E) Floating Boat Repair Dock at Wharf J-10 – The Port could construct a system of floats and ramps for use by fishing boat operators to provide space for minor boat repairs and maintenance. At this time, two options for such type of improvements have been developed, which are shown in Figure 16. Either option would involve a structure supported by between about 10 and 20 new piles.

One option is to construct a floating dock and ramp system in the space between the F. Alioto leasehold site and the east end fish receiving wharf described as Option A, above. Boats would be able to pull up next to the 125-foot-long dock, which would be connected to a ramp system allowing walking access to the east end fish receiving wharf. The dock edge would allow space for fishing boat operators to load and off-load gear and conduct minor boat maintenance work that is confined within the vessel. This dock and ramp system could be built compatibly with the fishing industry building concept described as Option D, above.

(F) Floating Boat Repair Dock at Foot of Leavenworth Street – Another option would be to develop a working dock for fishing boats off the end of Leavenworth Street, adjacent to the existing fish hoist. The conceptual design, which was proposed by the members of the Crab Boat Owners Association, would consist of an access ramp from the end of Leavenworth Street to a

length of floating dock that runs parallel to Wharf J-10, as shown in Figure 16. This design would allow for vessels to berth on both sides of the floating dock and conduct minor fishing vessel maintenance that is confined within the vessel. As conceived, this concept could affect another fishing facility operated by Cal Shell located immediately to the east at Wharf J-9 (which is separate from the Cal Shell facilities at Wharf J-10 and across the street on the south side of Fish Alley). Any plans to pursue this set of dock and ramp improvements would require discussions and agreement with Cal Shell.

C. PROJECT SPONSOR'S OBJECTIVES

The project sponsor's objectives for the proposed project are:

- Eliminate the existing public safety hazard created by the instability of the existing Wharf J-10 substructure and building;
- Appropriately document the cultural significance of Wharf J-10 and any submerged archeological resources on the project site;
- Support fishing industry uses by facilitating Wharf J-10 tenants' reconstruction of a fish processing facility; and a staging area, storage, and loading area.
- Continue to uphold the land use and urban design policies for the Wharf J-10 site, as set forth in the Waterfront Land Use Plan, to promote Fishing Industry uses and facilities that are consistent with the area's identified architectural character, including marine food preparations and fishing vessel support and repair, retail (limited to sale of fish only), community facilities and public access.

D. SCHEDULE, APPROVAL REQUIREMENTS AND GENERAL PLAN POLICIES

This EIR will undergo a public comment period as noted on the cover, including a public hearing before the Planning Commission on the Draft EIR. Following the public comment period, responses to written and oral comments will be prepared and published in a Comments and Responses document. The Draft EIR will be revised as appropriate and, with the Comments and Responses document, presented to the Planning Commission for certification as to accuracy, objectivity, and completeness. No approvals or permits may be issued before the Final EIR is certified.

APPROVALS

The proposed project would be subject to review by all agencies with jurisdiction over the proposed project, including a determination that the proposed project is consistent with the

General Plan and the Planning Code and the Port's Waterfront Land Use Plan. In addition, the proposed project would require the following approvals to allow the demolition of Wharf J-10 and possible subsequent reconstruction by the existing tenants and the Port:

- The Port must select a demolition contractor for the project.
- The Port must issue a demolition permit for the proposed demolition.
- The San Francisco Bay Conservation and Development Commission (BCDC) must approve removal of the Wharf J-10 substructure, the necessary repair of the retaining wall, and stabilization of the water's edge with riprap.
- The project may require one or more permits from the U. S. Army Corps of Engineers (Corps) under Section 10 of the River and Harbors Act and/or Section 404 of the Clean Water Act, in connection with any new construction that created a new footprint beyond that of existing development, such as floating dock(s).[12]
- The RWQCB must authorize demolition/relocation of the groundwater monitoring well(s) and, if applicable, certify that any Corps-issued permit meets state water quality objectives.
- The Port Commission must approve the F. Alioto proposed reconstruction.
- The Port Commission must approve an agreement with Cal Shell to reconfigure its leasehold to occupy and use an area of the project site that extends parallel to the shoreline from the western boundary of its current leasehold to Leavenworth Street, between the retaining wall on the Bay side to the line of utility poles within Fish Alley. The amount of area occupied by this reconfigured leasehold would be the same as under their current lease.
- The Port must issue a building permit for the proposed F. Alioto building/wharf and the concrete pad for Cal Shell's fish processing operations.
- The Port Commission must appropriate funding and approve the design of any fish processing replacement structures for the remainder of the site not under lease to F. Alioto or Cal Shell.
- BCDC must approve permits for any reconstruction, including design review of any replacement structure.

[12] Demolition of Wharf J-10, placement of new riprap, and new construction within existing footprints are exempt from the Section 10 permit requirement, and could be accomplished under the Port's existing Clean Water Act Section 401 "Conditional Authorization" from the RWQCB for maintenance work.

- The California State Lands Commission must approve a salvage/excavation permit for submerged shipwrecks, in accordance with Public Resources Code Sections 6313(d), (e), and (f).

REFERENCES:

Unless otherwise noted, all references are available for review by appointment as part of the project environmental file at the Planning Department, 1660 Mission Street, in Project File No. 2001.0636E.

Architectural Resources Group Architects, Planners & Conservators, Inc., *Fish Alley Study Area Historic Resources Evaluation and Design Recommendations.* Prepared for the Port of San Francisco and the Fisherman's Wharf Waterfront Advisory group, September 2001.

Port of San Francisco, Memorandum: Wharf J-10 Site Visit Made on March 29, 2004 and March 31, 2004, April 1, 2004.

Port of San Francisco, Fishery Wharf J-10 Emergency Engineering Study, Revised Draft, undated.

Structus Consulting Engineers, Fishery Wharf J-10 Emergency Engineering Study, Revised Draft, August 17, 2000.

CHAPTER III
ENVIRONMENTAL SETTING AND IMPACTS

A. LAND USE

The Initial Study concluded that the project would not have adverse land use impacts. Land use setting information is included in the EIR for informational purposes to orient the reader.

The project site is along the northern edge of San Francisco's waterfront in the Fisherman's Wharf area adjacent to San Francisco Bay, an area that is dominated by the fishing industry and visitor-serving commercial land uses. Fisherman's Wharf, which is a major visitor attraction in San Francisco, encompasses approximately 374 acres of land and water generally bounded by the US Pier Head Line in the Bay to the north, Pier 35 on the east, Bay Street and Francisco Street to the south, and Municipal Pier (Aquatic Park) to the west. Most of the land (including the project site) is under the jurisdiction of the City and County of San Francisco, and roughly 10 percent is under the jurisdiction of the National Park Service as part of the San Francisco Maritime National Historical Park, which includes the Hyde Street Pier and its fleet of national historic landmark vessels, a visitor center on the ground floor of the Argonaut Hotel at the corner of Hyde and Jefferson Streets, a maritime museum and library, Aquatic Park, and Municipal Pier.[13]

Nearby neighborhoods include North Beach, Telegraph Hill, and Russian Hill. Fort Mason, which is just west of Aquatic Park and is approximately one mile to the west of the project site, is part of the Golden Gate National Recreation Area and is under the jurisdiction of the National Park Service.

Historically, Fisherman's Wharf was a center for the fishing and maritime industries such as boat repair, maritime equipment supply, and fish processing and canning. Fisherman's Wharf is still a center of the San Francisco Bay Area's fishing industry and retains many fish handling and processing facilities, including 108,000 square feet of new fish off-loading, handling and distribution space at Pier 45, approximately one-fifth of a mile east of the project site. In addition to Pier 45, the Hyde Street Commercial Fishing Harbor (Hyde Street Harbor), which is adjacent to the project site, constitutes another major element of the Fisherman's Wharf commercial fishing center. The Hyde Street Harbor extends into the Bay just beyond the Outer Lagoon at the

[13] Municipal Pier was formerly part of the Golden Gate National Recreation Area, but responsibility for the pier was transferred to the Maritime National Historic Park in December 2003 (National Park Service (NPS) Visitor's Center, February 2004).

northern terminus of Hyde Street Harbor Access Road (see Figure 1, p. 11). The Hyde Street Harbor opened in 2001 with a total of 190 berths. Fishing-related uses are also assembled around Fish Alley, such as F. Alioto's and Cal Shell's operations along Jefferson Street between Hyde and Leavenworth Streets and Coast Marine and Industrial Supply, Inc. at the northeast corner of Jefferson and Leavenworth Streets. In general, Jefferson Street, between Pier 39 and the San Francisco Maritime Museum National Historic Park (located at the western terminus of Jefferson Street roughly between Hyde Street and Van Ness Avenue), contains a high concentration of visitor-related commercial development. The north side of Jefferson Street is dominated by the fresh seafood restaurants, chowder houses, and crab shacks, for which Fisherman's Wharf is well-known. The buildings along this side of Jefferson generally range between one to two stories. In addition, ferry services and bay cruises launch from the piers lining the north side of Jefferson Street, particularly at Piers 39 and 41. Visitor-serving retail uses, such as t-shirt and souvenir shops, dominate the south side of Jefferson Street. Other prominent destinations along the south side of Jefferson Street include The Cannery, an historic San Francisco Structure of Merit, and the Argonaut Hotel, a designated City Landmark, located on the block bounded by Jefferson, Beach, Leavenworth and Hyde Streets. The Cannery, a brick warehouse that was originally built as a peach cannery in 1907, was renovated in the 1960s into a shopping complex featuring clothing boutiques, art galleries, offices, restaurants, and a jazz club. The Argonaut Hotel borders The Cannery to the west and is located in the renovated historic Haslett Warehouse, a four-story timber and brick building completed in 1909 by the California Fruit Canners Association. In addition to a hotel, which opened in 2003, the Argonaut houses the Visitors Center for the San Francisco Maritime National Historic Park. In contrast to the one- to two-story buildings along the north side of Jefferson Street, buildings along the south side tend to be taller, at three to four stories in height.

The San Francisco Maritime National Historic Park is administered by the National Park Service; these facilities are roughly located at Hyde Street and the western end of Jefferson Street. In addition to Hyde Street Pier and Aquatic Park, the Maritime National Historic Park includes the San Francisco Maritime Museum, expansive green space with benches, trees, and walkways, and the terminus of the Powell-Hyde Cable Car line, as well as the building that now houses the Argonaut Hotel. The Hyde Street Pier Walkway exhibits historic boats, buildings, and other artifacts that are a part of Fisherman's Wharf maritime history. Aquatic Park is essentially a man-made cove enclosed by the broad curve of Municipal Pier just west of Fisherman's Wharf. Aquatic Park offers a location for swimming, canoeing, and similar types of water recreation.

Ghirardelli Square, a designated City Landmark, is located just south, across Beach Street, from the Maritime National Historic Park. Ghirardelli Square is similar to The Cannery, in the sense that it is a former industrial building containing clothing boutiques, restaurants, art galleries, and a Ghirardelli Chocolate store. The building was built in the 1890s as a chocolate factory for Ghirardelli. In the early 1960s, Ghirardelli moved its chocolate factory across the bay to San

Leandro and by the mid-1960s the building was restored and converted into its present use as a shopping complex.

In addition to Ghirardelli Square, Beach Street, between Powell and Polk Streets, is a commercial corridor that continues the visitor industry uses of Fisherman's Wharf. Hotels, such as the Sheraton, the Courtyard Marriott, and Holiday Inn, are prominent features of Beach Street. Most of these hotels also contain ground-floor souvenir shops and restaurants. There are also several parking lots and garages along Beach Street. Exceptions to the visitor-serving commercial uses on Beach Street include the Longshoreman's Memorial Building at the southwest corner of Beach and Mason Streets and an office building at southeast corner of Beach and Hyde Streets. Joseph Conrad Square, located on a triangular lot bounded by Leavenworth, Beach, and Columbus Streets, is a small park containing benches, trees, and walkways. In addition, a small collection of low-scale (two- to three-story) residential buildings is located at the southwest corner of Hyde and Beach Streets.

Along North Point Street, one block south of Beach Street, the high concentration of commercial uses typical of Jefferson and Beach Streets begins diminishing. Hotels, restaurants, and retail stores (i.e., North Point Center) are still the prominent uses between Mason and Leavenworth Streets. However, multi-family residential uses dominate the blocks west of Leavenworth Street and east of Mason Street. West of Leavenworth Street, the north and south sides of North Point Street contain low-scale (generally three-story) residential buildings. East of Mason Street, the south side of North Point Street is occupied by North Point Apartments—a large complex of four-story buildings containing 514 units. The Academy of Art College is located on the north side of North Point Street east of Stockton Street, across from the North Point Apartments.

Bay Street continues the transition away from the dense visitor-serving commercial uses of Fisherman's Wharf and maintains the pattern of North Point Street with residential uses generally occupying the blocks west of Columbus Avenue and east of Powell Streets and commercial uses dominating the blocks between Columbus Avenue and Powell Street. The North Beach Apartments building is an exception to this pattern as it occupies two full blocks bounded by Bay and Francisco Streets and Mason Street and Columbus Avenue. North Beach Apartments, which is an affordable-housing complex, was recently renovated and now contains 341 dwelling units and ground-floor retail, including a Trader Joe's grocery store.

Public uses in the Fisherman's Wharf area include the North Point Wet Weather Treatment Facility at Bay and Kearny Streets and the San Francisco Municipal Railway (MUNI) Kirkland Bus Yard at the northeast corner of Bay and Powell Streets.

PLANS AND POLICIES

PLANNING CODE (ZONING)

The San Francisco Planning Code (Planning Code), which incorporates by reference the City's Zoning Maps, governs permitted uses, densities and the configuration of buildings in San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed action conforms to the Planning Code, or an exception is granted pursuant to provisions of the Planning Code, or a reclassification of the site occurs. The project would require demolition and building permits from the Port, because it would include demolition of an existing building and wharf structure, and construction of a new fish processing facility and wharf structure.

The project site is within a 40-X Height and Bulk District. This district allows a maximum building height of 40 feet, and does not place a limit on building bulk.

The project site is within a C-2 (Community Business) Zoning District. C-2 Districts emphasize compatible retail uses with a variety of goods and services to suit the longer-term needs of customers with greater latitude given to the provision of automobile-oriented uses. They provide convenience goods and services to both outlying and closer-in, denser residential areas of the City and they can provide comparison shopping goods and services to a citywide or regional market.

The project site is also located in the Waterfront Special Use District (WSUD) No. 1, Maritime Uses and Related Accessory Uses, which contains land use provisions that overlay the C-2 District as described in Section 240.1 of the Planning Code. These provisions permit maritime and related accessory uses within WSUD No. 1 that require access to or use of the San Francisco Bay in order to function or operate in the normal course of business, including waterborne commerce, navigation, fisheries and recreation.

SAN FRANCISCO GENERAL PLAN

The San Francisco General Plan (General Plan) contains general policies and objectives to guide land use decisions, and contains some policies that relate to physical environmental issues. Sections of the General Plan that apply to the proposed project include the Urban Design Element, Recreation and Open Space Element, and the Northeastern Waterfront Area Plan.

In the General Plan's Urban Design Element, conservation policies call for preserving notable landmarks and areas of historic, architectural or aesthetic value, and promoting the preservation of other buildings and features that provide continuity with past development. The policies stipulate that older buildings that have significant historical associations, distinctive design or characteristics exemplifying the best in past styles of development should be permanently preserved. They call for more fully developed criteria for determination of historic significance

and design value, with attention both to individual buildings and to districts, and that efforts for preservation of the character of landmarks should extend to their surroundings as well. The policies state that preservation measures should not, however, be entirely bound by hard-and-fast rules and labels, because to some degree all older structures of merit are worthy of preservation and public attention; and therefore, various kinds and degrees of recognition are required.

The General Plan's Recreation and Open Space Element calls for providing continuous public open space along the shoreline unless public access clearly conflicts with maritime uses or other uses requiring a waterfront location. For Fish Alley, it proposes maintaining the existing authentic character of Fish Alley north of and parallel to Jefferson Street, which supports a viable fish processing industry. It calls for improving public access along the wharves when compatible with public safety and fishing operations. The Recreation and Open Space Element also recommends maintaining and improving view corridors from public rights of way to fish processing areas, the outer lagoon, open waters of the Bay, and back to the City. Specifically regarding the project site, the Recreation and Open Space Element states that a pedestrian promenade should not be provided along the shoreline between Hyde and Jones Streets because of the fish processing activities along the Hyde Street Pier and Fish Alley; rather the promenade should continue along the north side of Jefferson Street.

Northeastern Waterfront Area Plan

The General Plan's Northeastern Waterfront Area Plan (Area Plan) calls for encouraging the retention and expansion of the commercial fishing and related activities in Fisherman's Wharf, and for maximizing views of the water and of waterfront activity. The Area Plan calls for providing a continuous system of parks, urban plazas, water-related public recreation, shoreline pedestrian promenades, pedestrian walkways and street greenways; and for providing as much public open space and peripheral access as is feasible in areas of maritime activity without interfering with the operation of this activity. It recommends preserving the historic maritime character of the Fisherman's Wharf area, and retaining older buildings of architectural merit or historical significance to preserve the architectural and historical character of the waterfront and ensure the compatibility of new development. The Area Plan calls for maintaining the fishing industry character in Fish Alley by preserving or increasing the level of fishing-related activities to the maximum feasible extent; for encouraging preservation and restoration of the maritime character of Fish Alley; and for providing a museum of the fishing industry and/or Wharf history in Fish Alley or elsewhere in the Wharf. Similarly, the Commerce and Industry Element includes maritime policies, one of which specifically promotes expansion of the fishing industry in the Hyde Street Harbor and Pier 45 area.

The proposed demolition and reconstruction of the fish-processing building and Wharf J-10 would be consistent with some, but not all, applicable General Plan policies. The General Plan contains many policies, which may address different goals. The proposed project would remove

a fish processing building that has been identified as having some historical importance (albeit one no longer suitable for fish processing, due to its condemnation and functional characteristics), and would not, therefore, be consistent with the urban design objectives and policies of the Northeastern Waterfront Plan. Impacts associated with this inconsistency will be discussed in the Cultural Resources section. However, reconstruction of the fish-processing building and a portion of the wharf would promote the goals of the Northeastern Waterfront Area Plan for retaining the fish industry in Fish Alley, and the Recreation and Open Space Element goals of improving view corridors from public rights-of-way (Leavenworth Street) to fish processing areas, the outer lagoon, and the open waters of the Bay.

The compatibility of the project with General Plan policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project. Any potential conflicts identified as part of that process would not alter the physical environmental effects of the proposed project.

PORT OF SAN FRANCISCO WATERFRONT LAND USE PLAN

The Port's Waterfront Land Use Plan (Waterfront Plan) establishes land use policy for all property under its jurisdiction, extending from the north end of Fisherman's Wharf south to India Basin, including the Fisherman's Wharf Waterfront Subarea. The Port adopted the Waterfront Plan in June 1997, with Fish Alley Amendments adopted in October 2001. The objectives and goals of the Waterfront Plan are consistent with those of the San Francisco General Plan. This project, therefore, will not be subject to a Planning Commission review for plan consistency, but will be subject to a Port Commission review for plan consistency. The Waterfront Plan calls for restoring and expanding Fisherman's Wharf as a working fishing port; attracting revenue-generating new uses to help support fishing industry and public activities; and providing space for the existing and future needs of other maritime activities at the Wharf. It also calls for continuing to integrate public, commercial, and maritime activities to preserve and enhance the diversity of uses at the Wharf; encouraging activities that will facilitate use of the area by local residents and diminish the Wharf's image as a "tourist-only" attraction; and rationalizing and enhancing the public access and open space program at Fisherman's Wharf. The Waterfront Plan encourages improvements that would enhance the waterfront's historic character, while also creating new opportunities for San Franciscans to integrate Port activities into their daily lives. The Waterfront Plan Fisherman's Wharf Acceptable Land Use Table identifies Fishing Industry, Ship Repair, Public Access, Retail Sales (only for fish), and Community Facilities as acceptable uses for the northern portion of Fish Alley, which includes Wharf J-10.

Fish Alley Amendments

As amended by the Fish Alley Amendments, approved by the Port Commission in October 2001, the Waterfront Plan Development Standards for the Fish Alley Area are:

- Preserve the existing balance between fishing and commercial uses.
- Preserve the small scale maritime-industrial character of Fish Alley by retaining the older buildings to the extent possible consistent with continuing fishing industry operations, and adapting them to the needs of and use by modern fishing-related businesses. In the event a building cannot be retained, then any replacement building must be consistent with the Waterfront Design and Access Element and maritime industrial character of the area. [See discussion of the Waterfront Design and Access Element, below.]
- In the Fish Alley Area, continue to give priority to fish processing and distribution; restaurants and bars oriented towards the fishing industry, businesses and citizens in the area; chandleries; other businesses serving the fishing industry; and support services for the proposed Hyde Street Harbor.
- Create a direct connection between the Hyde Street Harbor and Fish Alley.
- Operate and manage activities to ensure compliance with all applicable environmental and water quality laws and regulations. Coordinate compliance efforts with the Fisherman's Wharf Environmental Quality Advisory Committee (EQAC).

The Waterfront Plan's Waterfront Design and Access Element, in the Historic Resources section of its Design & Access Policies, inventories the waterfront's historic resources and presents Port-wide historic resources policies, along with policies for the most significant waterfront resources in areas including Fisherman's Wharf. It calls for nominating significant historic resources, between Pier 45 at Fisherman's Wharf to Pier 48 at China Basin, to the National Register of Historic Places; preserving and adaptively reusing significant historic resources where feasible; helping San Franciscans understand and enjoy their heritage by providing interpretive signage and informational displays about the waterfront's cultural and natural history; and requiring development of the waterfront to be compatible with historic resources.

As a result of the Fish Alley Amendments, the Waterfront Design and Access Element also calls for recognizing the Fish Alley area as an architectural character district with area-specific design criteria (based on the Secretary of the Interior's Standards for the Treatment of Historic Properties) related to maintaining views as well as massing, scale (i.e., limiting the height of new development within Fish Alley to two stories), site coverage, articulation and character of new development, as well as alterations and additions. The purpose of the architectural character district is to provide the Port with guidance for maintaining existing structures that contribute to the area's character, and approval of new construction, alteration, and demolition activities in the Fish Alley Area through the application of design criteria developed "in recognition of the area's unique character." The architectural character district includes all of the buildings in the Fish Alley Area, including the Wharf J-10 site.

Specific design criteria for the Fish Alley Area incorporated into the Waterfront Design and Access Element by the Fish Alley Amendments include:

Views

- View corridors down Jones and Leavenworth Streets should be maintained by discouraging new development along these two streets within Fish Alley;
- Existing views should be maintained by limiting the height of new development within Fish Alley to two stories;

Massing

- Articulate the massing of new development and additions so that they respect the building widths, heights, and simple massing and detailing of Fish Alley's existing buildings;
- The footprint of new development and additions to existing buildings along Jefferson Street should extend the width of the lot with no side setbacks so that the continuity of the street facade wall is maintained;

Scale

- Appreciate the scale that the typical building heights of neighboring buildings contribute to the character of the streetscape by holding new development to two stories or less;

Site Coverage

- The front setbacks of new development along Jefferson Street should vary slightly in keeping with existing architectural pattern;
- The placement of infill development on the interior of the Fish Alley Area should not encroach on the boundaries of the narrow alleyways, and should serve to enhance the delineation of the edges;

Articulation

- Opening patterns should be designed to communicate a human scale to pedestrians by articulating floor levels, or through glazing divisions;
- New development or additions should respect existing patterns and proportions of alternating openings and solidity of walls;

Character

- Along Jefferson Street, avoid blank ground floor walls by providing views into the ground floor of buildings. Allow awnings or arcades to extend commercial building activities onto and over the sidewalk area.
- Maintain the horizontal orientation of existing patterns throughout Fish Alley by aligning the horizontal elements of new development and additions with those of existing buildings;

Materials

- Varying building materials between existing buildings and additions is encouraged to visually distinguish new from old;
- New development and additions should be constructed with simple, industrial materials that typify those found throughout Fish Alley;

Signage

- New signage within the Fish Alley Study area should be kept simple and small scaled. The design of new signage should be in keeping with the historic signs of Fish Alley. Painted wood signs hung off the buildings or painted directly on the buildings are encouraged. Neon signs are not appropriate for the Fish Alley Area.

Site Furnishings

- Site furnishings and landscaping should be kept minimal and simple, and should reflect the industrial and maritime character of the Fish Alley Area;

Landscaping

- New landscaping within the Fish Alley Study area should be limited to small scaled plantings in planter boxes, and should not include street trees;

Service

- Provide service access from interior alleys or north/south streets;

Trash Enclosures

- Use fences or other lockable enclosures to screen trash facilities from public view, and incorporate appropriate water quality protective measures to comply with all water quality environmental laws and regulations.

Consistency with Fish Alley Design Criteria

Architectural Resources Group (ARG), an architectural firm with expertise in historic preservation, was contracted by the Port to prepare the *Fish Alley Historic Resources Evaluation and Design Recommendations* in 2001 (ARG, 2001), which was the basis for the Fish Alley Amendments approved for the Waterfront Design and Access Element of the Waterfront Land Use Plan. In 2005, ARG conducted a Design Review (see Appendix B) to evaluate the consistency of the proposed reconstruction of the F. Alioto portion of Wharf J-10 with the Fish Alley Design Criteria, based on the preliminary drawings submitted to the Port by F. Alioto (ARG, 2005). In its Design Review, ARG concluded that the drawings for the proposed reconstruction of the F. Alioto building were schematic and did not give enough information to complete a thorough evaluation. However, based upon the available information (Figures 13 and 14 in Chapter II, Project Description), ARG identified certain inconsistencies between the preliminary design for the proposed reconstruction of this portion of Wharf J-10 and the design criteria in the areas of views, massing, scale, site coverage, articulation, and character, as described below.

The proposed reconstruction would affect the views in Fish Alley by altering the scale of development at Wharf J-10. In its Design Review, ARG finds that the proposed building would not block existing view corridors. However, ARG concludes that, because the proposed 32-foot-tall building would have a mezzanine and a full second story, it would be taller than the existing 18-foot-tall Wharf J-10 building, and also taller than most surrounding structures in the Fish Alley area, and would thereby be more visible from Jefferson Street than the existing building.

(As noted in the project description, the Initial Study for the proposed project erroneously stated that the plans for the proposed new F. Alioto building depicted a 40-foot-tall structure. In fact, the plans show a building 32 feet tall, with a raised portion of the parapet, to a height of 35 feet, in the center of the principal façade. Figure 17 presents a corrected version of Initial Study Figure 12, depicting the approximate height of the proposed new F. Alioto building as viewed from Jefferson Street.)

In terms of massing, the design criteria recommend that the articulation of the massing of new development and additions be executed "so that they respect the building widths, heights, and simple massing and detailing of Fish Alley's [in this case, the warehouses] existing buildings." Although the new F. Alioto building would be "long and rectangular" like existing Fish Alley warehouses, it would not fully fill the existing footprint which helps define the character of Fish Alley. Further, the current schematic drawings for the building show intermediate roof sections above the first floor. ARG's Design Review concludes that these intermediate roofs "are not common to the undecorated shed warehouses of Fish Alley and are not compatible [with the design criteria]."

Concerning site coverage, the criteria state that new construction "should not encroach on the boundaries of the narrow alleyways, and should serve to enhance the delineation of the edges." According to ARG's Design Review, because the footprint of the proposed building would be about half the size of the existing building, the replacement building would "interrupt the continuity of the façade wall and would not maintain the edges of Leavenworth and Hyde Streets." As ARG's 2001 HRE notes, "since the removal of a structure can equally impact existing spatial patterns as the construction of a new building, new development should be sited so that the building mass serves to enhance the delineation of the alley edges" (ARG, 2001:24). However, the proposed building would not encroach on the boundaries of any existing alley or obscure any framed views.

The design criteria concerning articulation state that "Opening patterns should be designed to communicate a human scale to pedestrians by articulating floor levels, or through glazing divisions" and "New development or additions should respect existing patterns and proportions of alternating openings and solidity of walls." According to ARG's 2001 HRE, "Since the majority of the buildings located in Fish Alley's interior are industrial sheds, the proportion of these openings differ from those on Jefferson Street. Expansive cargo doors occupy these facades [of buildings in Fish Alley]. The cargo doors typically span two-thirds of the height of the buildings and are evenly spaced approximately one and a half the width of the door itself." The drawings for the F. Alioto building show openings of the first and second floors that are the same size. In keeping with the Fish Alley warehouse type, ARG's Design Review states that the first floor openings should be larger than those on the second (mezzanine) floor. The size and uniformity of the proposed building's first and second floor openings is more typical of a commercial or office building, than an historic industrial warehouse.

— — — — Approximate height of proposed building

SOURCE: Environmental Science Associates

Figure 17
Approximate Proposed Building Height,
Jefferson Street Between Hyde and Levenworth Street,
Looking North Toward Project Site
(Revised Initial Study Figure 12)

Concerning character, the design criteria call for maintaining "the horizontal orientation of existing patterns throughout Fish Alley by aligning the horizontal elements of new development and additions with those of existing buildings." ARG's Design Review found that the new F. Alioto building would be "relatively tall ... by Fish Alley standards with stacked openings in the center and at either end of the main Fish Alley façade, which gives the building more of a vertical orientation than the existing Wharf J-10 building." However, the drawings do not indicate the exterior finish material. ARG notes, "Horizontal wood siding would be appropriate to enhance the building's horizontal orientation."

ARG notes that, as with the question of exterior cladding, the preliminary drawings analyzed do not provide enough information to address consistency with several of the design criteria concerning signage, site furnishings, landscaping, and trash enclosures. Furthermore, criteria specifically applicable to Jefferson Street do not apply to the project. By virtue of its location, the building would necessarily be consistent with the criterion concerning service access from Fish Alley.

As with the General Plan, the proposed project would be consistent with some, but not all, of the above Waterfront Plan and Fish Alley Amendment policies, including the Fish Alley Design Criteria, which reflect the Port's adopted design policy for the project site and vicinity. It should be noted that inconsistency with one or more of the design criteria does not necessarily result in a significant effect on the environment within the meaning of CEQA, because the criteria, while adopted in recognition of the "unique character" of Fish Alley, do not recognize the entirety of Fish Alley as an historical resource; rather, a smaller historic district potentially eligible for the California Register was identified (see Section III.B, Cultural Resources, p. 54). Physical environmental impacts of the project, including physical effects on the historic district that includes the project site, are evaluated in this document, in particular in Chapter III.B, Historical and Archeological Resources (and also in Chapter III.C, Hazardous Materials and Hazardous Wastes). Potential inconsistencies with Waterfront Plan policies that do not relate to physical environmental issues would be considered by the Port Commission independently of the environmental review process, as part of the decision to approve or disapprove a proposed project.

While an inconsistency with adopted design guidance could conceivably result in a significant effect on visual quality, in this instance the inconsistencies between the preliminary design of the F. Alioto building and the Fish Alley Design Criteria are not so great as to be deemed "a substantial, demonstrable negative aesthetic effect" or to "substantially degrade or obstruct any scenic view or vista now observed from public areas." As stated in the Initial Study for the project (which, as noted, mistakenly evaluated the proposed new F. Alioto building as a 40-foot-tall structure, rather than the 32 feet in height actually shown in the plans), "because the building would sit approximately 150 feet back from Jefferson Street, the taller height of the proposed building would not appear to be dramatically different compared to the buildings along Jefferson

Street," because the building would be visible only from directly south of the site, and even there, much of the structure would be obscured by existing buildings (see Figure 17, p. 48).

As noted, the design of the new F. Alioto building is preliminary and only schematic drawings are available at this time. As a result, the Port would have to perform further design review of the proposed new building when the design has progressed to a more advanced stage. Implementation of Improvement Measure IM-1, p. 89, would ensure that the new F. Alioto building, and any other construction proposed at the Wharf J-10 site, would be consistent, to the maximum extent feasible, with the Fish Alley Design Criteria.

SAN FRANCISCO BAY PLAN

The San Francisco Bay Conservation and Development Commission's (BCDC) San Francisco Bay Plan (Bay Plan) and its San Francisco Waterfront Special Area Plan (SAP), contain many policies for the San Francisco waterfront. The Bay Plan and SAP encourage maximum feasible public access to the Bay shoreline consistent with the proposed project and minimization of Bay fill. The SAP has policies and sets forth permitted uses on new or replacement fill along the waterfront.

The SAP (as amended) in its Geographic Specific Policies and Recommendations for Hyde Street Pier through Pier 43, states that Fish Alley, located between the Hyde Street Pier and Pier 45, is the center of commercial fishing activity in San Francisco. Permitted Uses on New or Replacement Fill include Replacement of Existing Bay-Oriented Commercial Recreation; Breakwater; Berthing and Docking Facilities for Commercial Fishing Boats; Public Access; and Maritime. The SAP calls for improving and expanding Fish Alley facilities to serve the commercial fishing fleet, and maintaining and enhancing the area as a center for commercial fishing uses. It calls for permitting improved berthing, docking, and related activities for commercial fishing boats, including necessary sanitation facilities. The SAP recommends modernizing and improving the existing wharves and seawall lots for fish processing, marine repair and supply, and Bay-oriented commercial recreation with fish processing predominant on the Bay side of these parcels.

The proposed project would be generally consistent with the SAP's policies that call for the modernization or improvement of the existing wharves and fishing facilities.

BCDC Design Review Board

The BCDC Design Review Board reviews proposed projects, with special regard to public access and associated issues of water-oriented development, including visual access to the Bay. The Bay Plan states that shoreline development should be consistent with BCDC Public Access Design Guidelines "to enhance the visual quality of development around the Bay and to take maximum advantage of the attractive setting it provides." The Plan also calls for bay front development "to

enhance the pleasure of the user or viewer of the Bay and "to provide, enhance, or preserve views of the Bay and shoreline." Additionally, to enhance the Bay Area's maritime atmosphere, ports should be designed to permit public access and viewing of port activities by means of viewpoints that do not interfere with port operations and openings between buildings that permit views from nearby roads. BCDC Public Access Design Guidelines also state that all public access should be usable by as many people as possible, maintain and enhance visual access and the visual quality of the shoreline, and be compatible with natural features and adjacent development.

REFERENCE:

Unless otherwise noted, all references are available for review by appointment as part of the project environmental file at the Planning Department, 1660 Mission Street, in Project File No. 2001.0636E.

Architectural Resources Group, Architects, Planners & Conservators, Inc., "Wharf J-10 Design Review," October 10, 2005.

B. CULTURAL RESOURCES

SETTING

CEQA Section 21084.1 states that "a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." An "historical resource" is defined as one that is listed in, or determined eligible for listing in, the California Register of Historical Resources. In addition, a resource that (i) is identified as significant in a local register of historical resources, such as Article 10 and Article 11 of the San Francisco Planning Code, or (ii) is deemed significant due to its identification in an historical resources survey meeting the requirements of Public Resources Code Section 5024.1(g), is presumed to be historically significant "unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant." Finally, CEQA Section 21084.1 permits a lead agency to determine that a resource constitutes an historical resource even if the resource does not meet the foregoing criteria. A "substantial adverse" change is defined in Section 15064.5(b)(1) of the state CEQA Guidelines as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired."

The project site, Wharf J-10, consists of an approximately 24,400 square-foot fish processing facility and a wharf substructure. The fish processing facility and wharf substructure were constructed in 1919 by the State Board of Harbor Commissioners, the State agency that was the predecessor to the Port of San Francisco, to accommodate fish packing departments, storerooms and waterside docking facilities, as well as some accessory office use. The building remained in fishing industry use until the Port condemned the structure in August 2000. In an historic resources survey prepared for the Port, Wharf J-10 has been identified to be a contributing resource to a potential California Register-eligible historic district. The proposed project would affect the historic fish processing facility and the wharf substructure.

In addition to the architectural resources on the site, there is evidence to suggest that the project site may contain archeological resources, including prehistoric resources as well as remains from Gold Rush-period shipwrecks. Pile driving activities that would be part of the proposed project could affect these archeological resources.

HISTORIC ARCHITECTURAL RESOURCES

Rating Buildings of Architectural and Historic Importance

National Register of Historic Places / California Register of Historical Resources

The National Register of Historic Places ("National Register"), administered by the National Park Service, is the official U.S. government list of properties that have architectural, historical or

cultural significance at the national, state or local level. The National Register includes listings of buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archeological, or cultural significance at the national, state, or local level. Resources can be listed on the National Register under one or more of four criteria: Criterion A (association with important events); Criterion B (association with important persons); Criterion C (resources that embody the distinctive characteristics of a type, period or method of construction, that represent the work of a master, or are otherwise architecturally distinguished); and Criterion D (resources that yield historical information – typically associated with archeological resources).

The California Register of Historical Resources ("California Register"), maintained by the state Office of Historic Preservation (OHP), uses criteria that are similar to those of the National Register, except that California Register criteria include specific references to California's history and cultural heritage. Resources listed or determined eligible for the National Register are automatically included in the California Register, which also includes certain State Historical Landmarks and eligible Points of Historical Interest. Other resources that may be eligible for the California Register, and which require nomination and approval for listing by the State Historic Resources Commission, include resources contributing to the significance of a local historic district, individual historical resources, historical resources identified in historic resources surveys conducted in accordance with OHP procedures, historic resources or districts designated under a local ordinance consistent with the procedures of the State Historic Resources Commission, and local landmarks or historic properties designated under local ordinance.

In addition to historic significance, a National Register or California Register evaluation includes a determination of physical integrity, or the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Integrity consists of seven aspects: location, design, setting, materials, workmanship, feeling, and association.

Wharf J-10 is not listed in the National Register or the California Register, nor is it listed in the Directory of Properties in the Historic Property Data File for San Francisco County, which is maintained by the State Office of Historic Preservation (OHP). The fact that Wharf J-10 is not listed on either the National Register or California Register does not necessarily indicate a lack of historical importance.

Other Surveys

The project site is not identified as a City Landmark under Article 10 of the Planning Code, was rated 1 (on a scale of -2 to 5) in the Planning Department's 1976 citywide survey of architecturally significant buildings, and is not included in *Here Today,* the Junior League's 1968 book documenting the results of a five-year-long survey of historic buildings in San Francisco and San Mateo and Marin counties. In a 1997 cultural resources survey for the Planning

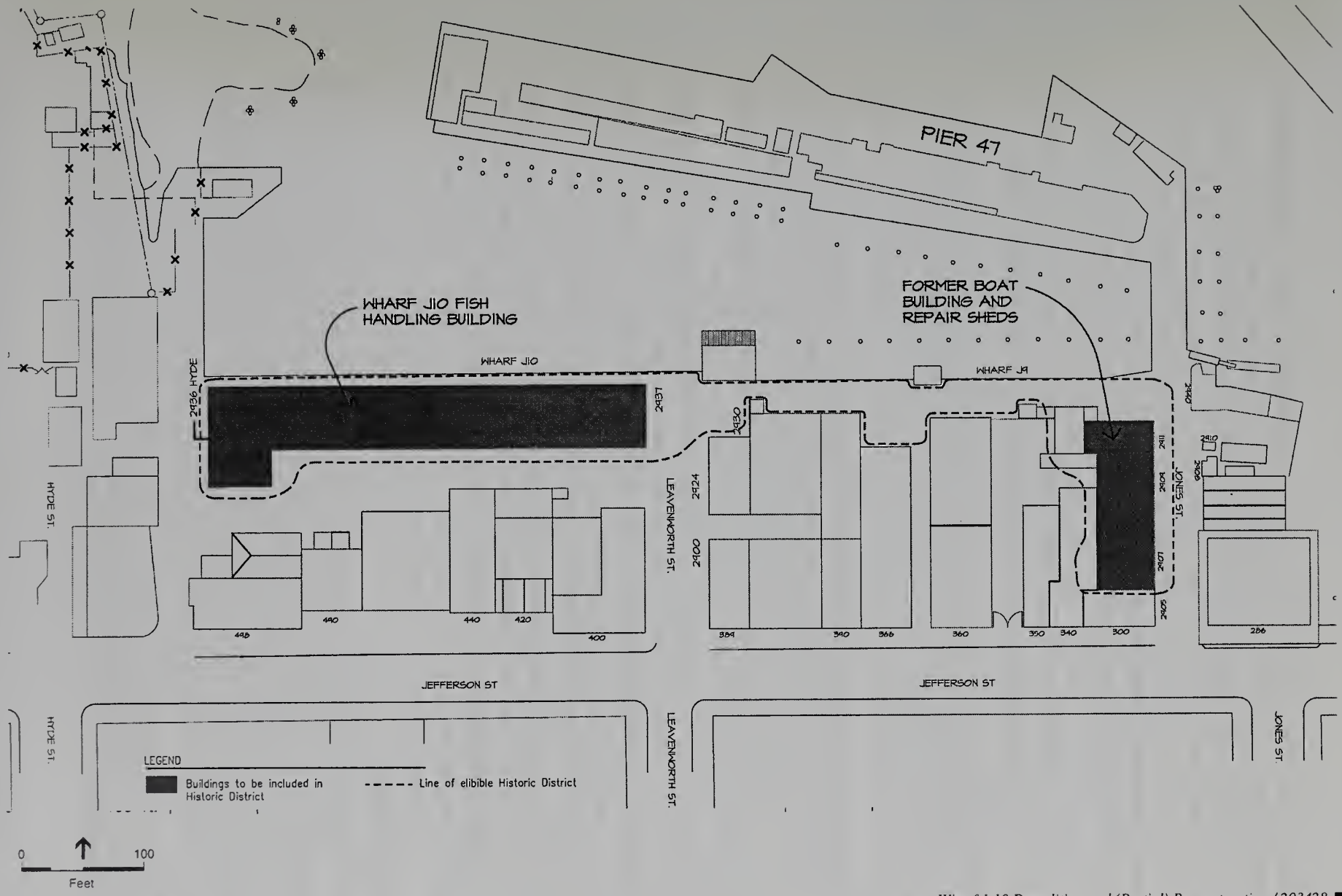
Department's draft Fisherman's Wharf Area Plan, Wharf J-10 was included in the list of identified resources and was determined to be a contributing building in the draft area plan (similar to the manner in which other area plans within the San Francisco General Plan have identified important architectural or historical resources). However, the Fisherman's Wharf plan was never adopted.

Project Site

In a September 2001 study commissioned by the Port for the Fish Alley area, the project site and two other buildings in the area, located at 2907-2909 and 2911 Jones Street, were collectively identified as being potentially eligible for listing on the California Register of Historical Resources (California Register) as a small historic district (Architectural Resources Group (ARG), September 2001). The historic district was identified as significant due to its historical significance in San Francisco's fishing industry based on California Register criterion 1: resources associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history. Each of the three buildings is a contributor to the historic district. The Department of Parks and Recreation Building, Structure, and Object Record (DPR 523A form) for each building notes that it "contributes to the potential California Register-eligible district as it relates to the context of the development of the fishing industry in San Francisco." The district is shown in Figure 18.

ARG noted that many of the buildings in the Fish Alley area "that relate to the context of the fishing industry and that are over 50 years in age have been altered to the extent that their individual integrity of materials, design, and workmanship has been impaired." However, the three buildings identified above, including Wharf J-10, were found to meet the test of a district, in that they "retain enough integrity to convey a sense of time and place as well as ... importance within the associated historic context of the fishing industry in San Francisco" (ARG, 2001:12). ARG found that "the district represents the boat building and fishing industries that developed along Fisherman's Wharf from the 1910s through the early 1940s" (ARG, 2001:12).

The DPR 523A form for Wharf J-10 states that the State Harbor Commission built Wharves J-9 and J-10 for the fishing industry in 1919. The Biennial Report of the State Harbor Commissioners for the Fiscal Years Commencing July 1, 1918, and Ending June 30, 1920, stated that the building contained "offices and (fish) packing departments and store rooms, but no retail markets." The Wharf J-10 Building was designed by A.A. Pyle and built during two phases of construction. Sanborn Maps for San Francisco indicate that this building was continuously used for net storage and fish packing until it was condemned in 2000. The F. Alioto Fish Company has been a long-term tenant and its occupation of Wharf J-10 can be traced back to at least the 1940s at this location. Additional tenants have included various other fish wholesalers (i.e., Standard Fisheries Corporation, Consolidated Fisheries, California Shell Fish Company), and Oswald Machine Works, distributors of diesel engines.



SOURCE: Architectural Resources Group

Figure 18
Existing Potentially Eligible
(California Register) Historic District

The other two buildings in the potential California Register-eligible historic district were built around the same time as the Wharf J-10 building. The northerly, single-story building, 2911 Jones Street, was constructed about 1920 as a boat building and repair shop. Today, it is used as storage space by the nearby Scoma's Restaurant. The larger, two-story building at 2907-2909 Jones Street, built in 1919, also housed boat building and repair, as well as the Crab Boat Owners Association, which continues occupancy at 2907 Jones Street to this day. The northern part of this building is currently used by Alioto's Restaurant for storage and food processing.

Because Wharf J-10 has been identified as a contributor to a potential California Register-eligible district, the building and substructure are considered an historical resource under CEQA.

In addition to being part of a potential California Register-eligible historic district, the building was identified, in the same report, to be part of larger architectural character district that encompasses the greater Fish Alley area, from Jones to Hyde Streets, north of Jefferson Street to the Bay. The architectural character district was identified because, "While the entire Fish Alley Study Area does not appear to meet National Register criteria as an historic district, due to the fact that many of the buildings in the study area have been substantially altered, the study area was found to have a distinct architectural character" (ARG, 2001:2). This architectural character district was officially adopted as part of the Port of San Francisco's Waterfront Land Use Plan under the Fish Alley Amendments, which are described in detail in Chapter 2, Project Description, of this EIR. The Fish Alley Amendments include design criteria that are based on the Secretary of the Interior's Standards for the Treatment of Historic Properties. The design criteria, which are listed in Chapter III.A, Land Use, Plans, and Policies, are intended to maintain the distinctive fishing industry character of the area. The design criteria seek to preserve existing views and to regulate the massing, scale, site coverage, articulation, and character of new development, alterations, and additions. Because the larger Fish Alley area is not identified as an historical resource (either a district or individual resources), the design criteria are not applicable to the analysis of historical resource impacts. Therefore, project consistency with the design criteria is addressed in Chapter III.A, on p. 46.

Project Vicinity

The San Francisco Maritime National Historic Park including the Hyde Street Pier (located at the west end of Fisherman's Wharf) and Aquatic Park, is administered by the National Park Service; these facilities are roughly located at Hyde Street and the western end of Jefferson Street. The Maritime National Historic Park also includes the San Francisco Maritime Museum, expansive green space with benches, trees, and walkways, and the terminus of the Powell-Hyde Cable Car line, as well as the building that now houses the Argonaut Hotel (formerly the Haslett Warehouse), a designated City Landmark. The Hyde Street Pier Walkway, immediately west of the project site, exhibits historic boats, buildings, and other artifacts that are a part of Fisherman's Wharf maritime history. Hyde Street Pier provides visitors with the opportunity to learn about

the nation's maritime heritage. The buildings on the pier are all one-story wood-frame structures related to maritime activity. A number of National Historic Landmark vessels are docked at the pier including: the Balclutha (1886), C.A. Thayer (1895), Eureka (1890), Alma (1891), Hercules (1907) and the Eppleton Hall (1914).

The Haslett Warehouse, now the Argonaut Hotel, was listed on the National Register of Historic Places in 1974. The four-story timber and brick structure was built between 1907 and 1909 as the Haslett Warehouse for the California Fruit Canners Association. It was once the world's largest fruit and vegetable cannery and exemplifies the turn-of-the-century warehouses of San Francisco's northern waterfront. The National Park Service acquired the property in 1978 for inclusion in the San Francisco Maritime National Historical Park, established in 1988. The Argonaut Hotel is located south across Jefferson Street from Wharf J-10, and currently, the building overlooks the one and two-story buildings on Jefferson Street and the more utilitarian structures along Fish Alley.

Other notable historical resources in the project vicinity include The Cannery, a San Francisco Structure of Merit,[14] located on the block bounded by Jefferson, Beach, Leavenworth and Hyde Streets, immediately southeast of the project site; and Ghirardelli Square, a designated City Landmark, two blocks southwest of the site.

ARCHEOLOGICAL RESOURCES

The project site is sensitive for submerged prehistoric and historic archeological resources that are potentially California Register-eligible. Early prehistoric resources may lie within San Francisco Bay submerged by sediment deposition and the rise in sea-level since the last period of glaciation. Most of the early and middle Holocene-age land surfaces once available for human occupation in the Bay Area have been buried or submerged since 13,000 years B.P. (Before the Present). The sea level 6,000 years ago, for example, was approximately 20 to 39 feet lower than present. At the beginning of the current era (c. 1 A.D.) the sea level was seven to 13 feet lower than present, indicating that currently submerged sub-bottom soils within the project site may represent potential living surfaces dating up to as recently as 2,000 years ago. The land available for human occupation and exploitation 2,000 to 12,000 years ago was vastly more extensive than that of the San Francisco peninsula today extending as far west as the Farallon Islands. A number of Bay Area archeological sites support the theory of deeply buried evidence of early prehistoric occupation. For example, human skeletal remains (CA-SFr-28) dated at approximately 5,000 years B.P. were discovered nearly 75 feet below the existing surface during construction of the Civic Center BART station. That some of the early prehistoric sites

[14] Like City Landmarks, Structures of Merit are designated under a procedure governed by Article 10 of the Planning Code and recognize and encourage the protection, enhancement, perpetuation and use of resources that are not officially designated as landmarks and are not situated in designated historic districts. However, unlike with Landmarks, alterations to Structures of Merit are not governed by Article 10.

were historically submerged is evidenced by the discovery of submerged shell middens and of Native American human remains in the Bay dredging conducted for the construction of Treasure Island. Approximately 50 percent of the prehistoric archeological sites in the Bay Area with dates greater than 3,000 years B.P. are found more than 13 feet below the surface. Early Paleo-Indian or Paleoamerican archeological sites although infrequently encountered are more highly significant to a wide range of current research topics and debates and, thus, eligible for listing to the California Register.

In the historic period, the project site was not occupied until the construction of the existing wharf and structure in 1919. However, there is evidence that suggests that two Gold Rush period shipwrecks may be located within proximity of the project site: the *Tonquin* (sunk in 1849) and, possibly, the *Carlota* (sunk in 1850). The 1853 U.S. Coast Survey chart map of San Francisco shows the site of the *Tonquin* shipwreck at roughly the location of the project site. According to one expert, the *Tonquin* is the only Gold Rush era ship believed with some degree of certainty to have sunk in San Francisco Bay, as opposed to at anchor along the shore (Delgado, 2004). The State Lands Commission database has also indicated that the *Samoset* (sunk 1852) may be in the area of the project site as well. However, according to the same expert mentioned above, the *Samoset* is not located in the vicinity of the project site (Delgado, 2004). For this reason, the *Samoset* is not an expected resource within the potential area of impact.

Submerged remains of either of the two shipwrecks may be eligible for listing in the California Register under Criterion A (association with a locally, regionally, and nationally significant historical event, the California Gold Rush); Criterion C (significance to Naval Architecture for information regarding wood ship construction in the period prior to the trade practice of developing pre-construction plans); and under Criterion D (significant maritime historical/archeological research value) as a contributor to the *California Gold Rush Shipwrecks Thematic Group* (Delgado, 1987), which is listed on the National Register of Historic Places.[15] As noted, resources listed on the National Register are automatically included on the California Register.

[15] Although piles that were driven 85 years ago to construct Wharf J-10 likely would have damaged any ship hulls present beneath the project site, the historical significance of shipwrecks is judged differently than that of buildings, and loss of physical integrity does not render a shipwreck ineligible for listing in the California Register as it might for a building. As archeological resources, shipwrecks by definition come as "damaged goods" – they have been dismembered, scattered, and "eroded" both by acts of nature and man (ship scavengers). However, shipwrecks are historically significant because of their association with events, persons, craftsmanship, technology, and historical/archeological information. For example, while most every Gold Rush Period storeship in San Francisco that has been encountered has been badly damaged by fires (the Apollo and many others), building foundations, piles (the General Harrison), tunnels (the Roma), box sewers (the Lydia), and other events, these wrecks remain historically significant because of their association with the Gold Rush period, San Francisco maritime history, specifics regarding a ship's career, information regarding 19th century ship construction, or their cargo.

IMPACTS

SIGNIFICANCE CRITERIA

A project is normally found to have a significant effect on the environment if it will substantially disrupt or substantially adversely affect a property of historic significance. CEQA Section 21084.1 states "a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." An "historical resource" is defined as one that is listed in, or determined eligible for listing in, the California Register of Historical Resources, one that is identified as significant in a local register of historical resources, such as Article 10 of the San Francisco Planning Code, or one that is deemed significant due to its identification in an historical resource survey meeting the requirements of Public Resource Code Section 5024.1(g). A resource that is deemed significant due to its identification in an historical resource survey meeting the requirements of Public Resource Code Section 5024.1(g), is presumed to be historically significant unless a preponderance of evidence demonstrates otherwise.

A "substantial adverse change" is defined by CEQA Guidelines Section 15064.5 as "demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." The significance of an historical resource is "materially impaired," according to Guidelines Section 15064(b)(2), when a project demolishes or materially alters, in an adverse manner, those physical characteristics of the resource that:

- convey its historic significance and that justify its inclusion in, or eligibility for inclusion in, the California Register of Historical Resources (including a determination by the lead agency that the resource is eligible for inclusion in the California Register);

- account for its inclusion in a local register of historical resources adopted by local agency ordinance or resolution (in accordance with Public Resources Code Sec. 5020.1(k)); or

- account for its identification in an historical resources survey that meets the requirement of Public Resources Code Sec. 5024.1(g), including, among other things, that "the resource is evaluated and determined by the [State Office of Historic Preservation] to have a significance rating of Category 1 to 5 on DPR Form 523," unless the lead agency "establishes by a preponderance of evidence that the resource is not historically or culturally significant."

CEQA requires that the effects of a project on an archeological resource shall be taken into consideration and that if a project may affect an archeological resource that it shall first be determined if the archeological resource is an "historical resource", that is, if the archeological resource meets the criteria for listing in the California Register of Historical Resources (CRHR).

To be eligible for listing to the CRHP under Criteria A, B, or C, an archeological site must contain artifact assemblages, features, or stratigraphic relationships associated with important events, or important persons, or exemplary of a type, period, or method of construction (CEQA *Guidelines* Section 15064.5(a)(1) and (3) and (c)(1) and (2)). To be eligible under Criterion D, an archeological site need only show the *potential* to yield important information. An archeological resource that qualifies as an "historical resource" under CEQA, generally qualifies for listing under Criterion D of the CRHR (CEQA Guidelines Section 15064.5 (a)(3)(D). An archeological resource may qualify for listing under Criterion D when it can be demonstrated that the resource has the potential to significantly contribute to questions of scientific/historical importance. The research value of an archeological resource can only be evaluated within the context of the historical background of the site of the resource and within the context of prior archeological research related to the property type represented by the archeological resource (CA OHP, undated).

IMPACTS

Historic Architectural Resources

Wharf J-10 has been identified in an historic resources survey prepared for the Port to be one of three contributing resources that collectively are potentially eligible for listing on the California Register as an historic district, and Wharf J-10 is, therefore, considered an historical resource under CEQA. The proposed project would result in the demolition of the building and substructure that comprise Wharf J-10. Demolition of this historical resource would be considered a significant impact. In addition, because the historic district is already small, demolition of the one of the buildings would have a substantial adverse effect on the eligibility of the historic district for the California Register. Therefore, the proposed project would result in a significant adverse impact to historical resources, both in terms of the effect on the individual building and substructure (demolition) and the effect on the district (substantial alteration). As described further in Chapter IV, Mitigation Measures, p. 78, the Port retained Architectural Resources Group, which prepared archival photographs and documentation of Wharf J-10, which would somewhat reduce the severity of the impact. However, the impact of demolition would be considered significant and could not be mitigated to a less-than-significant level.

While the existing historic district that is identified as potentially eligible for the California Register would be substantially affected by the demolition of Wharf J-10 through the loss of its largest contributing resource, the two other contributing resources – the two buildings at 2907-2909 Jones Street and 2911 Jones Street –would remain and would still be considered historic resources. Because the existing potential district consists of non-contiguous resources (Wharf J-10 is a block away from the other two district contributors), and because Wharf J-10 occupies twice the area of the other two contributors together (the paved alley between the non-contiguous resources is not identified as a contributory element to the potential district), the loss of Wharf J-

10 would "materially alter, in an adverse manner, those physical characteristics of [the existing potential historic district] that convey its historic significance and that justify its inclusion in, or eligibility for inclusion in, the California Register of Historical Resources."

However, the remaining two buildings in the potential California Register-eligible district, at 2907-2909 and 2911 Jones Street, would remain and, while adversely affected by the loss of Wharf J-10, would still be potentially eligible for the California Register as historically related buildings or an historically and functionally related unit,[16] although not as an historic district. As noted in the Setting, each of these two buildings was constructed at approximately the same time as Wharf J-10, each "relates to the context of the development of the fishing industry in San Francisco," and each retains sufficient integrity to support the "sense of time and place" in the context of the development of San Francisco's fishing industry. Therefore, the two buildings are considered historical resources under CEQA, and the effects of new construction on these buildings must be considered.

Should construction proceed on Phase 3 of the project, as described in Chapter II, Project Description, the two Jones Street buildings could be adversely affected. In particular, construction of a two-story, approximately 32-foot-tall building, as proposed by F. Alioto, would be inconsistent with the height and bulk of the Jones Street structures, potentially resulting in incremental diminution or loss of those buildings' integrity[17] with respect to setting and feeling, and association (with regard to the historic evolution of the small industrial scale of Fish Alley). However, the new construction would not affect the two buildings' integrity of location, design, materials, and workmanship. Given that, and given the one-block separation of the Jones Street buildings from the Wharf J-10 site, the potential impact on these resources would be sufficiently attenuated as to not rise to the level of significance, in that the new construction would not "materially alter, in an adverse manner, those physical characteristics of [the Jones Street buildings] that convey [their] historic significance and that justify [their] inclusion in, or eligibility for inclusion in, the California Register of Historical Resources."

New construction, as proposed by F. Alioto in the preliminary schematic drawings available (see Figures 13 and 14, pp. 29 and 30), would result in indirect adverse effects on nearby historical

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16 "Historically related buildings" refers to a "grouping of related buildings" that is a category of historical resources eligible for listing (along with individual buildings and historic districts) as State Landmarks, according to the state Office of Historic Preservation (OHP) 2001 publication "How to Nominate a Property as a California Historical Landmark or California Point of Historical Interest." Available on the internet at: http://www.ohp.parks.ca.gov/pages/1069/files/13%20landmarks%20and%20points.pdf. An "historically and functionally related unit" is a sub-category of "building," one of five classifications of resources for purposes of listing on the California Register, according to OHP's 2001 publication, "How to Nominate a Resource to the California Register of Historical Resources. Available on the internet at: http://www.ohp.parks.ca.gov/pages/1069/files/07%20cal%20reg%20how%20to%20nominate.pdf.

17 Under both National Register and California Register guidelines, a property must maintain sufficient historical integrity to be eligible for the register(s). Setting, feeling, and association are three of the seven aspects of integrity, the other four of which are location, design, materials, and workmanship.

resources. Because of the proximity of the proposed project to the historic resources listed above, the project, both the demolition and construction of a new building, have the potential to affect the San Francisco Maritime National Historic Park, particularly resources at the Hyde Street Pier, immediately west of Wharf J-10, and the Argonaut Hotel (historic Haslett Warehouse) on Jefferson Street.

The proposed construction of the new two-story F. Alioto structure would affect views to and from these resources. However, the impacts would not be material, but rather would be more visual in nature, and would not represent a substantial adverse change. Because the new F. Alioto building, as currently proposed, would be taller than surrounding structures and the current Wharf J-10 building, and because the other buildings along Fish Alley and Jefferson Street are generally 10 to 20 feet in height, the massing and of the proposed new building would have a negative visual impact on, and affect the setting of, the historic structures of Hyde Street Pier. Additionally, because the new F. Alioto building, as currently proposed, would be taller than any of the buildings between Jefferson Street and the water, the new building would block some views to and from upper floors of the historic Argonaut Hotel. However, in both the case of the Hyde Street Pier buildings and the Argonaut Hotel, this impact would be considered adverse, but not significant, in that it would not "materially impair" the significance of the buildings at Hyde Street Pier or the Argonaut Hotel. Effects on the historic setting of the Cannery would be similar to those on the Argonaut Hotel building, although somewhat attenuated, given that the Cannery is diagonally southeast of the Wharf J-10 site; these effects would likewise be less than significant.

Effects on the historic setting of Ghirardelli Square would be minimal, given the distance from the Wharf J-10 site, and would not be significant.

Improvement Measure IM-1 in Chapter IV, p. 89, would reduce the severity of above-noted less-than-significant impacts, in that it would result in new construction substantially in compliance with the Fish Alley Design Criteria. According to ARG, although the Fish Alley Design Criteria "were developed for the larger Fish Alley area, the buildings remaining in the smaller historic district exhibit [many] of these same characteristics, but also have historical value," and compliance with the design criteria would "minimize[e] the project impacts."

Alternative C, p. 93, which would entail construction of a single-story building, would also minimize the above-noted less-than-significant impacts with respect to view obstruction.

Archeological Resources

As discussed in the setting, the project site may contain remains from two Gold Rush period shipwrecks, the *Tonquin* and the *Carlota*. These shipwrecks may be eligible for listing on the National Register of Historic Places as part of the *California Gold Rush Shipwrecks Thematic Group*. As noted, resources listed on the National Register are also listed on the California

Register of Historical Resources. Therefore, these shipwrecks are considered to be potentially historical resources. Pile driving, which may be required for construction of the new wharf superstructure, could crush or otherwise damage any existing remains and, therefore, could result in significant adverse effects on these submerged archeological resources. Mitigation Measure EIR-2, p. 79 in Chapter IV, would reduce this impact to a less-than-significant level.

Cumulative Impacts

The project would not result in a significant cumulative impact to other historical resources in the Fisherman's Wharf area because there are no other projects proposed in the area that would affect historical resources. Furthermore, many of the important historical resources in the vicinity have been successfully renovated for adaptive reuse.

Similarly, the project would not contribute to significant cumulative effects on maritime archeological resources, in that no other projects are proposed in the vicinity that would potentially adversely affect known Gold Rush era shipwrecks.

REFERENCES:

Unless otherwise noted, all references are available for review by appointment as part of the project environmental file at the Planning Department, 1660 Mission Street, in Project File No. 2001.0636E.

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C. HAZARDOUS MATERIALS AND HAZARDOUS WASTES

This assessment focuses on the potential public health effects associated with exposure to hazardous materials during demolition of the existing substructure and fish processing building at Wharf J-10, removal of the existing retaining wall, and construction and operation of the potential tenant and Port improvements. The potential to encounter hazardous materials is based on review of the existing hazardous building materials survey conducted for the structures; an environmental regulatory database search to identify permitted hazardous materials uses, environmental cases, suspect hazardous materials uses, and spill sites in the vicinity of the existing wharf (Environmental Data Resources [EDR], 2005); and review of information regarding soil and groundwater conditions at the nearby former Mobil Oil Bulk Terminal at 440 Jefferson Street (Figure 1, p. 11) and other nearby environmental cases. This information is used to assess the potential to encounter hazardous materials in the soil and groundwater and to encounter hazardous building materials during demolition of the existing structure. Regulatory requirements related to the potential to encounter hazardous materials during construction as well as hazardous materials handling during operation of the potential tenant or Port improvements are also summarized.

SETTING

Hazardous materials, as defined in Section 25501(h) of the California Health and Safety Code, are materials that, because of their quantity, concentration, or physical or chemical characteristics, pose a substantial present or potential hazard to human health and safety or to the environment if released to the workplace or environment. Hazardous materials have been and are commonly used in commercial, agricultural and industrial applications as well as in residential areas to a limited extent. A *waste* is any material that is relinquished, recycled, or inherently waste-like. Title 22 of the California Code of Regulations, Division 4.5, Chapter 11 contains regulations for the classification of hazardous wastes. A waste is considered a *hazardous waste* if it is toxic (causes human health effects), ignitable (has the ability to burn), corrosive (causes severe burns or damage to materials), or reactive (causes explosions or generates toxic gasses) in accordance with the criteria established in Chapter 11, which also lists specific hazardous wastes and identifies specific waste categories including Resource Conservation and Recovery Act (RCRA) hazardous wastes, non-RCRA hazardous wastes, extremely hazardous wastes, and special wastes. If improperly handled, hazardous materials and wastes can result in hazards to public health and the environment if released to the soil, groundwater, or air.

HAZARDOUS MATERIALS IN SOIL AND GROUNDWATER

The potential to encounter hazardous materials in soil and groundwater during construction of the potential tenant and Port improvements as well as removal of the retaining wall was evaluated through review of the site fill history; historic and current land uses in the vicinity; permitted

hazardous materials uses; suspect hazardous materials uses; and environmental cases identified in the vicinity of the project; and review of soil and groundwater conditions at nearby sites including the former Mobil Oil Bulk Terminal, located adjacent to the southern boundary of the project site.

Historic Land Uses and Fill Materials

The project site is located in an area that was originally part of the shallow margins of the Bay. Beginning in the 1850s, the area was gradually filled. The fill materials historically used in San Francisco commonly include materials excavated from nearby hills as well as human-made debris that could include contaminants. In addition, rubble from destroyed buildings, including hazardous materials that were used in the buildings, was commonly incorporated into the fill and built upon during reconstruction after the 1906 earthquake and fire. The post-earthquake fill commonly contains lead, polynuclear aromatic hydrocarbons (PAHs), heavy metals, oil and grease and volatile organic compounds (VOCs). PAHs and lead identified in soil at the nearby former Mobil Oil Bulk Terminal are attributed to the fill materials by Exxon Mobil's consultant (TRC, 2004). The retaining wall that the wharf is located on was constructed between 1880 and 1893.

The area around the project site has historically been used for a variety of industrial uses including petroleum storage, power production, and lead smelting. Based on the site history prepared for the former Mobil Oil Bulk Terminal (TRC, 2003; TRC, 2004; and Ganguli, 2004), historic land uses that involved the use of hazardous materials in the immediate vicinity of the proposed project include:

- The former Mobil Oil Bulk Terminal with petroleum storage tanks, located across Fish Alley from the project site, from sometime before 1935 through about 1946, and thereafter by the still-active General Petroleum Marine Diesel Bulk Storage Facility. Diesel pipelines from this facility to the fuel docks at the end of Hyde Street traverse Wharf J-10;

- Historic petroleum tank farms located on the northwest, northeast, and southeast corners of the intersection of Leavenworth and Jefferson Streets for various periods between 1935 and 1966;

- Gasoline and oil fuel pumps at the end of Hyde Street noted on Sanborn maps from 1948 through 1990;

- Historic pipelines running along the water line from an historic Shell Oil lease at the northeast corner of Jefferson and Leavenworth Streets; and

- The Shelby Smelting and Lead Works noted on an 1886 Sanborn Map and Equitable Gas Light Company (with two gas holder above ground storage tanks and a coal wharf with a

41,000 gallon crude oil above ground storage tank) noted on an 1899 Sanborn map, located across Jefferson Street to the south.

Based on these historic uses in the vicinity of the proposed project, there is the potential to encounter petroleum products, manufactured gas plant residues (containing PAHs, petroleum hydrocarbons, benzene, cyanide, metals, and phenols), and lead or other metals in the soil and groundwater at the project site.

PERMITTED HAZARDOUS MATERIALS USES, ENVIRONMENTAL CASES, AND SUSPECT LAND USES

An environmental database review (EDR, 2005) was conducted to identify permitted uses of hazardous materials, environmental cases, suspect land uses, and spill site where soil and/or groundwater contamination may be present within a specified distance from the project site. The distances searched varied, depending on the type of regulatory database reviewed, and are consistent with the search distances specified in ASTM Standard E 1527 - Phase I Environmental Site Assessment Standard. A description of each database reviewed and the results of the database are provided in Appendix C of this EIR. In summary, the primary concern related to historic land uses involves the former Mobil Oil Bulk Terminal, where decades of use for fuel storage and distribution in aboveground and underground tanks and piping has resulted in groundwater contamination. This and other hazardous materials issues are discussed below and in more detail in Appendix C.

Permitted Hazardous Materials Uses

Because the use and handling of hazardous materials at currently permitted sites are subject to strict regulation, the potential for a release of hazardous materials from these sites is considered low unless there is a documented chemical release, in which case the site would also be tracked in the environmental databases as an environmental case. Permitted sites without documented releases are nevertheless potential sources of hazardous materials to the soil and/or groundwater because of accidental spills, incidental leakage, or spillage that may have gone undetected. Sites other than the GP Resources Bulk Terminal and fuel dock at Hyde Street Harbor in the project vicinity appear to involve primarily photo processing chemicals and past disposal of contaminated soils, and do not appear to pose a major public health concern with regard to the project site. Further information is provided in Appendix C.

Environmental Cases and Suspect Land Uses

Environmental cases identified by the environmental database review are those sites suspected of releasing hazardous materials or that have had cause for hazardous materials investigations and are identified on regulatory agency lists. Identification of hazardous materials at these sites is generally due to site disturbance activities such as removal or repair of an underground storage

tank (UST), a release of hazardous materials, or excavation for construction. Historic permitted uses such as former coal gas sites and historic UST sites are also considered permitted hazardous materials uses, but may be sources of contamination because these historic uses of hazardous materials were not well regulated. Therefore, historic UST sites and manufactured gas plant sites are considered "suspect land uses" for this analysis and discussed in this section. There were no spills reported at the existing Wharf J-10 site, therefore spill sites are not discussed further.

Former Mobil Oil Bulk Terminal

The former Mobil Oil Bulk Terminal was located across Fish Alley from the project site, to the south, at 440 Jefferson Street. This site was identified in the leaking underground storage tank and Cortese databases indicating that a release from a UST has occurred. The site is also identified in the CA SLIC database indicating that groundwater contamination has occurred and the case is under the regulatory oversight of the San Francisco Bay Region of the California Regional Water Quality Control Board (RWQCB). The database review indicates that a release of diesel has occurred and groundwater quality has been affected.

The site is currently an active General Petroleum Marine Diesel Bulk Storage Facility that dispenses marine diesel from two 20,000-gallon above ground storage tanks to a fueling dock at the end of Hyde Street via underground piping. A 4-inch diesel pipeline begins at the former Mobil Oil Bulk Terminal, extends beneath Wharf J-10, and terminates at the fuel dock (RWQCB, 2005a).

Soil Quality and Remediation. Soil at the former Mobil Oil Bulk Terminal is known to contain petroleum hydrocarbons including total petroleum hydrocarbons as gasoline and diesel, benzene, toluene, ethylbenzene, xylenes, and methyl tertiary-butyl ether (MTBE) (TRC, 2004; TRC, 2005). Lead and the PAHs naphthalene and pyrene have also been identified in the soil and are suspected to be associated with the fill materials used at the site. The lead could also possibly result from the smelting facility formerly located to the south of the project site. MTBE that has been identified in the soil is attributed to off-site sources because the Mobil Oil operations ceased before MTBE was used in gasoline, and subsequent operation by General Petroleum has not involved the storage of gasoline.

Three tank removals or soil excavations have occurred in the 1980s and 1990s including removal of gasoline USTs in 1986 (no soil removed); removal of 75 cubic yards of soil in 1990 following a release of several hundred gallons of petroleum to unpaved soil within the bermed tank yard at the terminal; and removal of approximately 980 cubic yards of affected soil following removal of diesel above-ground storage tanks and removal of 320 cubic yards of soil for slurry wall installation in 1994 and 1995 (this soil was characterized as a California hazardous waste based on soluble lead concentrations and arsenic).

As part of investigations at the former Mobil Oil Bulk Terminal, soil samples were collected during installation of a groundwater monitoring well (AW-9) at the project site in 1992. Total petroleum hydrocarbons as diesel was identified at 330 milligram per kilogram (mg/kg) in a soil sample from the 8 foot depth, near the water table, but was not detected in the shallower soil sample from 4 feet. Thus, the upper limit of the contamination is between 8 feet and 4 feet below grade, which is deeper than would be excavated during demolition of the Wharf J-10 building, wharf, and retaining wall,[18] and the concentration detected is below the environmental screening level of 500 mg/kg of total petroleum hydrocarbons as diesel (RWQCB, 2005b).Total petroleum hydrocarbons as gasoline and diesel have been identified at maximum concentrations of 2,100 mg/kg and 4,100 mg/kg, respectively, in soil samples from monitoring wells installed in Fish Alley to the south of the project site. Benzene, toluene, ethylbenzene, and xylenes were also detected in these soil samples.

Groundwater Quality and Remediation. Numerous groundwater monitoring wells have been installed to investigate groundwater quality at the former Mobil Oil Bulk Terminal. These include well AW-9 installed at the project site, which was monitored quarterly from 1992 through 2001. Since that time, however, no access to the on-site well has been available because of deterioration of the pier. Petroleum hydrocarbons including total petroleum hydrocarbons as gasoline and diesel, benzene, toluene, ethylbenzene, xylenes, and MTBE have been identified in the groundwater and free product[19] has been observed on the groundwater in some of the site monitoring wells. The most recent groundwater sample from Monitoring Well AW-9, collected in June of 2001, contained 15 milligrams per liter (mg/L) of total petroleum hydrocarbons as diesel, but no other petroleum hydrocarbons, including MTBE, were detected. The most recent sample analyzed for PAHs, collected in June 2000, contained detectable levels of anthracene and benzo (a) anthracene. The depth to groundwater in Monitoring Well AW-9 is historically 5 or more feet below ground surface (TRC, 2004), and is a minimum of 4.5 feet below the surface at its shallowest points.

Groundwater remedial activities have been conducted at the former Mobil Oil Bulk Terminal since 1994 to prevent migration of petroleum hydrocarbons from the site vicinity to the Bay. These activities include:

- removal of contaminated soil, which would otherwise have been a continuing source of groundwater contamination, in connection with installation of a 5-foot wide by 6-foot deep slurry wall around the Mobil leasehold site perimeter in 1995 (required for structural purposes and located primarily above the water table, so with only incremental effect as a groundwater barrier);

[18] No foundation design is available for the potential tenant improvements under Phase 3 of the project or the potential Port improvements under Phase 4.

[19] Free product is petroleum fuel, such as gasoline or diesel, that is not dissolved in the groundwater but floats on the groundwater surface or sinks through the groundwater.

- installation of a temporary 2-foot wide by 8-foot deep groundwater recovery trench along the northern Mobil site perimeter, and extraction of 5,000 gallons of groundwater produced during soil excavation activities in 1995;
- Quarterly pumpout of wells with observable free product from 1997 until 2000; and
- Installation of "soakies" (petroleum-absorbent socks placed in wells and replaced regularly) for product recovery since 2000 in wells with observed product.

These remedial activities have resulted in a reduction of petroleum hydrocarbon concentrations in the Mobil wells over time as well as a reduction in free product thickness from 1.19 feet in 1992 to a sheen in 2004. A sample of Bay water collected from north of the former Mobil Oil Bulk Terminal in 1990 did not contain detectable levels of petroleum hydrocarbons and there was no observable sheen of hydrocarbons on the water surface. Elevated levels of total PAH have been identified in sediment at the south side of Pier 47 (the fishing boat pier across the Outer Lagoon from Wharf J-10).[20] However, these elevated levels have not been attributed to the former Mobil Oil terminal. (Elevated PAH concentrations in near-shore sediment are frequently associated with creosote-treated wood pilings and/or historic industrial activities.)

Plans for Further Remediation. The August 2004 Initial Study analyzed the project's impacts and included a discussion of a petroleum release into the soil and groundwater from the former Mobil facility. Under the regulatory authority of RWQCB, Exxon Mobil,[21] the identified responsible party, was in the process of investigating and characterizing the extent of the contamination, and was charged with submitting draft remedial action plan options. Given the RWQCB's regulatory process to determine the appropriate remedial action to be taken to meet applicable soil and groundwater standards, the Initial Study concluded that there were no significant impacts associated with the project regarding hazardous materials. Further developments have occurred since the publication of the Initial Study, which are reported for informational purposes.

In August 2004, Exxon Mobil's consultant, TRC, issued its *Environmental Risk Assessment and Feasibility Study* (RA/FS)(TRC, 2004). The RA/FS found that significant human health and environmental risks resulting from the presence of petroleum contamination beneath the Wharf J-10 area are limited to potential ecological/water quality impacts from migration of contaminated groundwater through the retaining wall to the Bay. The human health risks evaluated were found to fall below threshold levels, with very limited potential for human exposure, although potential impacts from soil vapor intrusion into buildings have not been fully evaluated.

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[20] Samples taken in April 2005 revealed PAH levels of between 21 and 33 parts per million (ppm), compared to background levels of 3.4 ppm in San Francisco Bay. Priya Ganguli, San Francisco Regional Water Quality Control Board, e-mail communication to Carol Bach, Port of San Francisco, July 8, 2005. Available for review by appointment as part of the project environmental file at the Planning Department, 1660 Mission Street, in Project File No. 2001.0636E.

[21] Mobil Oil Corp. and Exxon Corporation merged in 1999 and became Exxon Mobil Corporation.

The RA/FS also presents analysis of several potential remedial alternatives for the groundwater and recommends two remedial actions, depending on whether the Wharf J-10 building is or is not demolished:

1) If the building is demolished – Construct a slurry wall just inland of the retaining wall to prevent migration of petroleum to the Bay, enhance biological degradation of petroleum hydrocarbons through application of oxygen-releasing compounds, and continue passive removal of product from wells by soakies. The slurry wall would be designed in a manner consistent with the existing riprap and retaining wall improvements in place.

2) If the building is not demolished: Construction of the slurry wall would be difficult and potentially infeasible because the building limits access to the alley where excavation would occur. Consequently, the RA/FS recommends that no slurry wall would be constructed, and remediation would occur through the enhanced biological degradation and passive product removal of petroleum product as described above.

In its comments on the RA/FS, the RWQCB has stated that it will require that groundwater contaminant concentrations meet criteria established for surface water and will require additional sampling to further evaluate the extent of constituents of concern in the groundwater and determine the best placement for the slurry wall (RWQCB, 2005). In addition, the RWQCB has stated that there is strong evidence that contaminated groundwater could be discharging to the Bay and that the RA/FS will need to evaluate potential impacts to human receptors in the bay (e.g. swimmers) as well as effects on ecological resources. ,A soil vapor study is also required to evaluate the potential for vapor intrusion into buildings and to address potential current and future effects on indoor air, including the potential for build-up of methane. Quarterly groundwater sampling, including water level monitoring and analysis of groundwater samples, as well as inspection and documentation of surface water conditions adjacent to riprap along Wharf J-10 is also required. If future remediation, demolition, or construction activities require excavation or work within the sediment north of the seawall, the RWQCB may require collection of environmental samples.

In response, Exxon Mobil has submitted a work plan for soil vapor, soil, and groundwater sampling at 11 locations to the south of Wharf J-10 (TRC, 2005). Upon completion of the proposed work, Exxon Mobil will complete a site-specific risk assessment and related risk evaluation addressing potential risks to swimmers in the Bay and the potential for vapor intrusion. Exxon Mobil acknowledges that TPHd concentrations in the groundwater are in excess of screening levels for ecological receptors and that that remedial action is necessary to prevent the migration of TPHd from groundwater to the Bay. Upon completion of additional site investigation and risk assessment activities described above, Exxon Mobil will submit an Expanded Site Assessment Report and Addendum to the Environmental Risk Assessment and Feasibility Study including an updated conceptual evaluation of remedial alternative for site

cleanup. In reviewing the conceptual plan, the RWQCB will consider the proposed remedial actions with respect to feasibility, effectiveness in meeting water quality goals, and other potential environmental impacts. Pending agreement on the conceptual remedial action plan presented in the addendum, Exxon Mobil will develop a detailed remedial action plan for RWQCB review and approval. This plan will also be available for Port and public review. Implementation and approval of the remediation action plan would continue under the oversight of the RWQCB, and would involve further coordination with the Port and its tenants in the design of the slurry wall and/or carrying out the biological degradation and passive removal operations, to minimize or avoid conflicts with Port and tenant operations.

Other Environmental Cases

The environmental database review identified four sites with the greatest potential to affect soil or groundwater quality at the project site, including two sites with leaking USTs (identified in the leaking UST database), which would not be likely to have affected the project site, and two other sites for which limited information was available. Further detail regarding these sites is provided in Appendix C.

Suspect Land Uses

Several suspect land uses are located in the site vicinity, including sites with historic USTs and a former manufactured gas facility. Groundwater quality at the project site could potentially be affected by a release of petroleum products to the groundwater at one of the historic UST sites, although the potential contaminants would be similar to those identified at the Former Mobil Oil Terminal. The former gas plant could be a potential source of PAHs, petroleum hydrocarbons, benzene, cyanide, metals, and phenols to soil and groundwater in the project vicinity. Further information regarding these sites is provided in Appendix C.

APPLICABLE REGULATIONS

Hazardous materials and hazardous wastes are subject to extensive federal, state, and local regulations, with the major objective of protecting public health and the environment. In general, these regulations define hazardous materials; establish reporting requirements; set guidelines for handling, storage, transport, remediation, and disposal of hazardous wastes; and require health and safety provisions for workers and the public. The major federal, state, and regional agencies enforcing these regulations include the U.S. EPA (federal); the Department of Toxic Substances Control (DTSC), the State Water Resources Control Board (SWRCB) and the California RWQCB (state); and the Bay Area Air Quality Management District (BAAQMD) (regional). A more detailed description of the federal, state and regional hazardous materials regulatory framework is presented in Appendix C. The San Francisco Department of Public Health (SFDPH) often acts as lead agency to ensure proper remediation of leaking UST sites and other contaminated sites in San Francisco.

City of San Francisco Hazardous Materials Regulations

Three regulations from the San Francisco Health Code, briefly summarized below (with more information provided in Appendix C), are relevant to demolition activities or construction and operation of the proposed project with respect to hazardous materials and hazardous waste. These include Article 22A (Analyzing the Soil for Hazardous Waste, formerly the Maher Ordinance), Article 21 (Hazardous Materials), and Article 22 (Hazardous Waste Management).

Under Article 22A of the Health Code, construction of projects located bayward of the historic high tide line that would involve excavation of greater than 50 cubic yards of soil requires preparation a site history to identify whether past uses might have cause contamination, characterization of on-site soils, and preparation of a site mitigation plan if contamination is identified. The soil analysis report is submitted to the SFDPH, and the measures recommended in the site mitigation plan must be completed during construction; SFDPH approval may be conditioned upon submittal of a Risk Management Plan, Health and Safety Plan, and possibly a Cap Maintenance Plan if hazardous materials remain in the soil or groundwater to prevent exposure.

Article 21 of the Health Code provides for safe handling of hazardous materials in the City. It requires any person or business that handles, sells, stores, or otherwise uses specified quantities of to keep a current certificate of registration and to implement a hazardous materials business plan. A special permit is required for USTs. (This article also incorporates state tank regulations.).

Article 22 of the Health Code provides for safe handling of hazardous wastes in the City. It authorizes the SFDPH to implement the state hazardous waste regulations, including authority to conduct inspections and document compliance.

IMPACTS

SIGNIFICANCE CRITERIA

For purpose of this EIR, the proposed project would be considered to have a significant effect on the environment if it would:

- involve a substantial risk of accidental explosion or release of hazardous materials (including, but not limited to, oil, pesticides, chemicals, or radiation);
- expose people to existing sources of potential hazards including hazardous materials;
- create a public health hazard or potential public health hazard; or
- interfere with an emergency response plan or emergency evacuation plan.

Definition, identification, and determination of threshold levels of hazardous materials and wastes are provided in Title 40 of the Code of Federal Regulations and in Title 22 of the California Code

of Regulations. Determination of "substantial" hazard or "insignificant" levels of hazardous materials is performed by the regulatory agencies on a case-by-case basis, depending on the proposed uses, potential exposure, and degree and type of hazard.

HAZARDOUS BUILDING MATERIALS, HAZARDOUS MATERIALS USE, AND FIRE HAZARDS AND EMERGENCY EVACUATION PLANS

The Initial Study reported that hazardous building materials at the project site have already been properly abated, and this potential impact related to hazardous building materials would be less than significant and require no further analysis in the EIR. The Initial Study also found that a new fish processing facility could involve the use of standard chemicals in quantities that would not be expected to cause an adverse impact to public health, and that the project would not result in a significant fire hazard, nor would it interfere with emergency response or evacuation plans. Therefore, these issues are not discussed in the EIR.

HAZARDOUS MATERIALS IN SOIL AND GROUNDWATER

As discussed in the Setting, the project site is located in an area with historic industrial land uses that involved the use of hazardous materials as well as many environmental cases where soil and/or groundwater contamination have been identified, including the former Mobil Oil Bulk Terminal to the south. Within the immediate vicinity of the project site, there have historically been numerous underground and aboveground petroleum storage tank systems, resulting in petroleum hydrocarbons in soil and groundwater in the area and beneath the project site (TRC, 2003).

The proposed demolition would not disturb soil below approximately two feet below ground surface (although the precise depth for excavation for foundation requirements and the proposed fish handling facilities are currently unknown), and would not likely encounter petroleum hydrocarbons present in the soil at an upper limit of between 8 feet and 4 feet below grade and in the groundwater, at least 4.5 feet below ground surface. However, based on the presence of lead and PAHs in the soil that are suspected to be related to the fill materials used in the area, it is possible that the limited soil that would be excavated could contain hazardous materials and could pose health and safety risks to the construction workers and public. The excavated soil could require disposal as a restricted or hazardous waste.

Because the excavation as part of the demolition of J-10 wharf and J-10 building would likely include excavation of less than 50 cubic yards of soil, Article 22A of the San Francisco Health Code would not apply. Mitigation Measure IS-17, requiring preparation of a site health and safety plan, and Mitigation Measure IS-18, stockpiling, analysis, and proper disposal of all excavated soil (see Chapter 4, Mitigation Measures), would be implemented to reduce potential impacts related to handling and disposal of the soil to less than significant. Potential exposure to

hazardous materials in the soil and groundwater after construction of the proposed project would not be of concern because the project would include 100 percent impervious surfaces and future site occupants and visitors would not contact the soil or groundwater, and because the RWQCB will require remediation of volatile compounds (which could permeate pavement or concrete) through site cleanup requirements or similar regulatory authority. Both ExxonMobil, as the primarily responsible party, and the Port, as the property owner, will be subject to RWQCB requirements for the project site. The Port, through its building permit review process, would apply any conditions on future construction that might be required to comply with RWQCB requirements established to protect human health and the environment. Similarly, with regard to new construction of tenant or Port improvements (Phases 3 and 4 of the proposed project), should less than 50 cubic yards be disturbed, Mitigation Measures IS-17 and IS-18 would apply.

If excavation during any construction activities in Phases 3 or 4 of the proposed project were to exceed 50 cubic yards of soil, the project would have to comply with the requirements of Article 22A of the San Francisco Health Code, described in the Setting. The regulations would take effect at the time of the building permit application and would require preparation of a site history report to evaluate the potential for soil contamination at the site. If the potential for contamination were indicated, Article 22A would require a soil investigation, soil analysis report, site mitigation plan, and certification report stating that either (1) no hazardous wastes present in the soil present an unacceptable risk and that no mitigation measures are required; or (2) all mitigation measures recommended in the site mitigation report have been completed and that completion of the mitigation measures has been verified through follow-up soil sampling and analysis, if required.

In the event that dewatering were required for construction activities, the pumped groundwater would be discharged to the sewer system in compliance with Article 4.1 of the San Francisco Public Works Code (the Industrial Waste Ordinance), described in the Water Quality section of the Initial Study (Appendix A). As described in the Project Description, Exxon Mobil monitoring well AW-9, located within the project site, would be properly abandoned prior to demolition in accordance with state well construction standards, if needed, and would be replaced if required by the RWQCB. Implementation of the proposed project would not interfere with the implementation of planned remediation activities at the former Mobil Oil Bulk Terminal, but would allow construction of a slurry wall to prevent migration of contaminants to the Bay, as recommended by Exxon Mobil's *Environmental Risk Assessment and Feasibility Study* (RA/FS)(TRC, 2004).

Any groundwater pumped from the site shall be retained in a holding tank to allow suspended particles to settle, if this is found to be necessary by the Bureau of Environmental Regulations and Management of the Public Utilities Commission, to reduce the amount of sediment entering the storm drain/sewer lines. The Bureau of Environmental Regulation and Management of the Public Utilities Commission must be notified of projects necessitating dewatering. That office may require analysis and treatment, if applicable, before discharge.

Compliance with the Mitigation Measures IS-17 and IS-18 if the project includes disturbance of less than 50 cubic yards of soil or the requirements of Article 22A of the Health Code if construction of the project includes the disturbance of more than 50 cubic yards of soil and compliance with Article 4.1 of the Public Works Code, if dewatering is required, would reduce impacts related to exposure to hazardous materials in the soil and groundwater to less than significant.

CREOSOTE-TREATED PILES

Wood piles that are used to support the existing wharf and buildings have been treated with creosote, which is an effective marine wood preservative, but may contain organic compounds toxic to marine organisms. Under California law (Health and Safety Code §25143), the pilings would not be considered a hazardous waste, unless otherwise classified by federal regulations, and can be disposed of at an appropriately permitted composite-lined waste disposal facility. Therefore, no impacts related to disposal of creosote treated pilings are anticipated.

INSTALLATION OF NEW PILES DURING RECONSTRUCTION

Any new structures built as part of the project that would extend over the Bay would be pile-supported, and new piles would be driven. The RWQCB would evaluate the potential water quality impacts of any construction project, including pile-driving, as part of a project-specific permit review, and would require mitigation as needed based on that evaluation. In general, the RWQCB has not identified pile driving as a significant threat to water quality because pile driving typically causes limited disturbance of surface sediments, which settle out quickly in the immediate vicinity without creating significant turbidity. Many sediment contaminants, including metals, PAHs and other organic compounds, adhere to the sediment particles and consequently are not likely to be mobilized by pile-driving. However, the RWQCB would evaluate the potential impact of pile driving, although each site is evaluated on a case-by-case basis as part of the permit process. Should the RWQCB identify project-specific concerns, it would require permit conditions such as installation of a floating silt screen and monitoring water column contaminant levels.[22] Such permit review and conditions, as part of standard RWQCB practice and defined by law and regulation, would ensure that any water quality effects of pile driving would be reduced to a less-than-significant level.

REFERENCES

Unless otherwise noted, all references are available for review by appointment as part of the project environmental file at the Planning Department, 1660 Mission Street, in Project File No. 2001.0636E.

[22] Priya Ganguli, San Francisco Regional Water Quality Control Board, e-mail communication to Carol Bach, Port of San Francisco, July 8, 2005. Available for review by appointment as part of the project environmental file at the Planning Department, 1660 Mission Street, in Project File No. 2001.0636E.

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D. GROWTH INDUCEMENT

In general, a project would be considered growth-inducing if its implementation would result in substantial population increases and/or encourage or facilitate new development that might not occur if the project were not approved and implemented. The proposed project, demolition and construction of new fishing industry facilities to replace an existing, vacant fish processing facility, would not result in growth-inducing impacts because it would not create any new housing or new uses that would draw a substantial number of new workers to the area. Furthermore, because the project would essentially amount to replacement of an existing facility that was vacated only due to structural considerations, it would not be expected to increase or decrease activities associated with the local fishing industry.

CHAPTER IV
MITIGATION MEASURES AND IMPROVEMENT MEASURES

In the course of project planning and design, measures have been identified that would reduce or eliminate potential significant environmental impacts of the proposed project. Some of these measures have been, or would be, voluntarily adopted by the project sponsor or project architect and contractor and thus are proposed as part of the project; some are identified in this EIR and are under consideration by the project sponsor. Implementation of some may be the responsibility of other agencies. Measures under consideration or those that may have been rejected by the project sponsor may be required by the Port Commission or by responsible agencies, including the Bay Conservation and Development Commission or Regional Water Quality Control Board, as conditions of project approval, if the project were to be approved. Each mitigation measure and its status are discussed below.

There are several items required by law that would serve to mitigate potential significant impacts; they are summarized here for informational purposes. These measures include: limitation of construction-related noise levels, pursuant to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code, 1972); compliance with Chapter 34, Section 3407 of the San Francisco Building Code, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures; and observance of State and federal OSHA safety requirements related to handling and disposing of other hazardous materials, such as asbestos.

Mitigation measures for the impacts of the proposed project are discussed below. Mitigation measures identified in this EIR, discussed in Section A below, and in the Initial Study, listed in Section B below, would be required by decision makers as conditions of project approval unless they are demonstrated to be infeasible based on substantial evidence in the record.

Improvement measures for the proposed project are discussed below in Section C. Improvement measures are measures that would be implemented to reduce the severity of less-than-significant impacts.

A. MITIGATION MEASURES IDENTIFIED IN THE EIR

CULTURAL RESOURCES

HISTORIC ARCHITECTURAL RESOURCES

Mitigation Measure EIR-1 – Documentation of Historical Resources

Detailed recordation of the Wharf J-10 building and substructure prior to demolition would partially mitigate the loss of the historical resource. In May 2003, the Port retained ARG to prepare archival-quality photographs and documentation of Wharf J-10. ARG's report includes:

- Architectural Recordation Form; and
- Fourteen black-and-white (exterior) archival-quality photographs; and
- Original 1919 building plans.

Recordation provides important historical information that minimizes, but does not fully mitigate, the loss of historical resources and features. The documentation of the building would be considered for both reconstruction and archival purposes. Implementation of this mitigation measure would reduce the impact to historical resources, but not to a less-than-significant level. The loss of the Wharf J-10 would be a significant and unavoidable impact. Significant impacts to historical resources could only be reduced to a less-than-significant level by selection of Alternative A (see Chapter VI, Alternatives).

ARCHEOLOGICAL RESOURCES

Mitigation Measure EIR-2 – Archeological Testing and Data Recovery Program

This mitigation measure is based on the presumption that buried and/or submerged archeological resources may be affected by the project and that the resources are archeologically significant (Pub. Res. Code § 6313(c)). To address this potential impact, the following measures shall be undertaken to reduce potential effects of the proposed project on historically significant archeological resources ("historical resources" as defined in CEQA Guidelines Section 15064.5 (a) and (c)) and on "unique archeological" resources (CEQA Guidelines Section 15064.5(c)(3) and Public Resources Code Section 21083.2) to a less-than-significant level. It is expected that remains of a shipwreck and/or associated cargo could be affected by the project.

Basic Requirements:

The project sponsor shall retain the services of an archeological consultant who meets the professional qualifications of a marine archeologist as specified in Public Resources Code Section 6313(e). The archeological consultant shall undertake an archeological testing program and, if determined warranted by the Environmental Review Officer

(ERO), an archeological data recovery program as specified herein. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the ERO and be conducted prior to any onsite project activities that would disturb buried and/or submerged archeological resources. Study results shall be used by the ERO to modify, as necessary, the project to ensure that significant resources are preserved, salvaged, or documented as required by law, rule, or regulation.

Archeological Testing/Data Recovery Program:

Purpose: The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered constitutes an "historical resource" or a "unique archeological" resource under CEQA.

Timing of Implementation: This mitigation measure shall be implemented *prior* to the occurrence of any project activity that has the potential to directly or indirectly affect significant historical or "unique archeological" resources, such as, pile driving, disturbance of Bay bottom sediments or mud, reconstruction in part or in whole of the wharf or installation of any pile- or bay-anchored structure, and placement of new riprap on the bay floor or on top of the existing riprap in an amount greater than four feet in depth. This mitigation measure may be implemented after project activities that would not directly or indirectly significantly affect historical or "unique archeological" resources, such as, improvements shore-side of the existing seawall, demolition of superstructures (buildings, etc.) on the existing wharf, removal/demolition of the wharf, placement of riprap on top of existing riprap to a maximum depth of four feet, and repairs of the existing sea wall.

Archeological Testing and Data Recovery Plan (AT/DRP)

Scope: Prior to the start of any activities, as identified above, that have the potential to directly or indirectly affect significant historical or "unique archeological" resources, the archeological consultant shall prepare and submit to the ERO and the California State Lands Commission (CSLC), for review and approval, an archeological testing and data recovery plan (AT/DRP). Due to environmental and logistical constraints (presence of riprap and pile remnants, submerged nature of resource) it may be necessary, if archeological data recovery is warranted, to collapse a testing, evaluation, and data recovery program into a single sequence. The archeological consultant, project sponsor, the CSLC, and ERO shall consult on the scope of the AT/DRP prior to preparation of a draft plan. The AT/DRP shall conform to the requirements of State law for a salvage/excavation permit involving a submerged archeological site/historical resource (Pub. Res. Code Sec. 6313 (d), (e), and (f)).

AT/DRP: Documentary Elements

The archeological testing program shall be conducted in accordance with the approved AT/DRP. which shall contain the following components:

- *Historical Context*: Vessel type; physical description of vessel(s) (registered dimensions & tonnage); age; owners; career of vessel; method of construction; place of origin; significant design features; alterations; associations (historical event, persons, technological changes); shipwreck event; salvage activities; subsequent disturbance; name history; shipmasters or captains; expected geographical and subbottom location; expected debris field and cargo.
- *Research Design:* Research questions; identification of diagnostic vessel attributes that must be present to identify vessel type; identification of data that must be present to address significant architectural, technological or historical research questions; identification of types of physical remains that must be present for the shipwreck remains to be eligible for listing to the CRHR/NRHP under criteria A, B, C, or D.
- *Testing Plan*: Identification of survey/testing techniques to be employed, testing locations, and methods of resource evaluation;
- *Data Recovery Plan*: Descriptions of proposed data identification and retrieval.
- *Cataloguing and Laboratory Analysis*. Description of cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy*. Description of and rationale for field and post-field discard and deaccession policies.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.
- *Time limitations:* The archeological testing and/or data recovery program required by this measure could suspend project construction activities for up to a maximum period of four weeks. At the direction of the ERO, the suspension of construction activities can be extended beyond four weeks only if such a suspension is the only feasible means to reduce potential effects of the project on a significant historical or "unique archeological" resource to a less than significant level.

Completion of Testing/Data Recovery Program

- *Report:* At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant historical or "unique archeological" resources may be present, the ERO, in consultation with the CSLC, and the archeological consultant shall determine if additional measures are warranted.
- *Finding of Substantial Adverse Change in the Significance of an Historical Resource:* If the ERO determines that a significant historical resource or a "unique archeological" resource is present and that the proposed project could cause a substantial adverse change, either:

  A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or

B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive value than research significance and that interpretive use of the resource is feasible.

Criteria of Evaluation of Significance and Appropriate Mitigative Action

The determination of the appropriate recovery sample of a shipwreck or associated cargo will depend on the basis by which the shipwreck/cargo is determined to be eligible to the California Register of Historical Resources (CRHR).

- If the historical resource encountered through archeological testing is determined eligible to the CRHR/NRHP under Criterion A (significant event) or under Criterion B (Significant person), archeological testing and recovery of a representative portion of the shipwreck and the appropriate curation or interpretive use of this shipwreck portion will reduce the effect to a less-than-significant level.
- If the historical resource encountered through archeological testing is determined eligible to the CRHR/NRHP under Criterion C (significant method of construction, distinctive type, period, high artistic value), archeological testing and recovery of the portion(s) of the shipwreck that exemplifies the significant method of construction, etc. and the appropriate curation or interpretive use of this shipwreck portion will reduce the effect to a less-than-significant level.
- If the historical resource encountered through archeological testing is determined eligible to the CRHR/NRHP under Criterion D (significant scientific information), the verification by testing/evaluation of the presence or of the identity of a shipwreck may be significant information that can be recorded and if the shipwreck (hull, portions of ship/ cargo) would be adversely impacted by the project, data recovery will be undertaken, reducing the impact to a less-than-significant level.

Final Disposition of Recovered Archeological Material and Field Documentation

Final disposition of the recovered archeological (artifactual and ecofactual) material and associated field, inventory, and analysis records shall be in a curation facility approved by the CSLC (Pub. Res. Code § 6313(g)). A copy of the catalogue of all recovered and/or curated archeological material and associated records shall be submitted to the ERO and the CSLC.

Final Archeological Resources Report (FARR)

The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO and the CSLC that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO and the CSLC, copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning

Department and the CSLC shall each receive two copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO and the CSLC may require a different final report content, format, and distribution than that presented above.

Reports: Review and Approval

All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO.

B. MITIGATION MEASURES FROM THE INITIAL STUDY

CONSTRUCTION AIR QUALITY

Mitigation Measure IS-1 – Demolition/Construction Activity Air Quality Impacts[23]

The project sponsor shall require contractor(s) to spray the sites with water during demolition, excavation, and construction activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other material; cover trucks hauling debris, soils, sand, or other such material; and sweep surrounding streets during demolition, excavation, and construction at least once per day to reduce particulate emissions.

Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor shall require that the contractor(s) obtain reclaimed water from the Clean Water Program for this purpose. The project sponsor shall require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, -by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

BIOLOGY

Mitigation Measure IS-2 – Pier Replacement *[revisions from Initial Study text underlined]*

To the extent feasible, the Port and other project sponsors shall limit pier (piling) replacement to between March 1 and November 30 to eliminate any potentially significant impacts of pile driving or pier replacement on the Pacific herring fishery. In the event that pier replacement operations must conflict with the herring season, the Port shall consult with the permitting agencies, including but not necessarily limited to the U.S. Army Corps of Engineers, the California Department of Fish and Game, Bay Conservation and Development Commission, State Lands Commission, and Regional Water Quality Control

[23] This mitigation measure is comparable to Mitigation Measure F-1 from the WLUP EIR (p. 649).

Board. The Port and other project sponsors shall comply with specific monitoring requirements established by these and other agencies to avoid impacts on the herring fishery or other biological resources. (Revised from the 1997 WLUP FEIR Measure H-1).

Mitigation Measure IS-3 – Demolition/Construction Activity

Prior to demolition or renovation of any abandoned building between August 15 and October 15, or between February 1 and May 1, a survey(s) shall be conducted during the same period by a qualified bat biologist.

If Townsend's western big-eared bat, a California Species of Special Concern, is found during an August – October survey, appropriate exclusion devices approved by California Department of Fish and Game (CDFG) and the United States Fish and Wildlife Survey (USFWS) shall be installed by a qualified bat biologist. Once the bats have been excluded, demolition may occur. If Townsend's western big-eared bats are found during a February – May survey, demolition shall not take place until the end of the nursing season in August. Exclusion devices shall be placed by a qualified bat biologist in accordance with CDFG and USFWS. (1997 WLUP FEIR Measure H-2). If no Townsend's western big-eared bats are found during the survey(s), no additional mitigation is required.

GEOLOGY

Mitigation Measure IS-4 – Geotechnical Investigation/Demolition

A geotechnical investigation shall be conducted under the direction of a Geotechnical Engineer prior to permitting any new construction or reuse of an existing structure for new uses that could increase the load of the structure. The investigation shall be performed to evaluate subsurface conditions and existing foundation conditions at the site. The geotechnical investigation shall evaluate the potential hazards such as settlement, ground shaking, ground rupture, liquefaction, subsidence, slope stability, and lateral spreading. Recommendations shall be made regarding the design of new foundations, upgrading of existing foundations, seismic design, and mitigation of geologic hazards. (1997 WLUP FEIR Measure I-1)

Mitigation Measure IS-5 – Pier Replacement

Piles that are in poor condition shall be repaired or demolished and removed. If repaired, piles that are deteriorated shall be replaced or the portion that is rotted or deteriorated shall be cut off and replaced with a concrete-filled steel sleeve. A structural engineer shall be consulted regarding the repair of the piers. (1997 WLUP FEIR Measure I-10b)

Mitigation Measure IS-6 – Pile Driving Plan *[revisions from Initial Study text underlined]*

Prior to any vibration producing pile driving, the applicant shall submit and the Port shall review a pile driving plan and an analysis of potential impact to adjacent properties to determine whether the potential exists to damage off-site property.

As a standard practice, the Port shall require an application package that will indicate the amount of pile driving and the period over which pile driving may be required. The package shall include a survey of adjacent structures with information concerning their age, foundation type, construction type, status as an historic landmark or structure of special significance, and record of any existing damage. The package shall also identify adjacent City streets and the location of buried infrastructure. In addition, the application shall

indicate any specific mitigation measures incorporated into the project to minimize hazards to structures. (Revised from the WLUP 1997 FEIR Measure I-3a and I-4)

Mitigation Measure IS-7 – Potential Damage from Pile Driving

To minimize pile driving hazards, the construction project shall provide supports to adjacent structures, including foundation support if needed. (Revised from 1997 WLUP FEIR Measure I-3b and I-4)

The applicant for the construction project shall post a surety bond to cover the costs of potential damage to off-site property from construction involving vibration inducing pile driving. (The bond is included as a mitigation measure because of the uncertainty that other mitigation measures shall protect off-site property from damage. If needed, the bond shall be used to repair off-site damage and thus mitigate that impact.) The amount of the bond shall be determined by the Port. (Revised from the 1997 WLUP FEIR Measure I-3c and I-4)

Mitigation Measure IS-8 – Pile Driving Notification

Prior to any construction that would require pile driving, the project sponsor shall notify all property owners within 300 feet of the proposed construction activity at least three months prior to the date of initiating demolition or excavation, whichever is the first activity to occur. The sponsor shall provide an opportunity for all property owners to comment on the construction activity and allow them the opportunity to have their property photo-documented for its pre-construction condition. The sponsor is responsible for inspection of construction activities and should note any observations of proven or suspected subsidence damage on the site and at adjacent sites. This measure would allow adjacent property owners to document the condition of their property prior to initiation of an activity that could result in damage. If damage does occur, the measure would help to identify the extent of the damage caused by construction. (Revised from the 1997 WLUP FEIR Measure I-3d and I-4)

Mitigation Measure IS-9 – Earthquake Hazards

To minimize hazards to the future building occupants from non-structural damage, the Port shall require that building occupants carry out the following measures at a minimum: heavy objects should be attached to secure walls and floors, and light, loose objects should be placed to minimize their potential to move or overturn; large storage containers should not be loosely stacked, and those stored on shelves should have appropriate restraints or other means to prevent them from tipping or sliding off the shelves.

Heavy objects like freezers, boilers, chillers, laboratory equipment, battery racks and electrical transformers, heavy storage cabinets, tanks, safes, oversize file cabinets, etc., shall be firmly secured to floors and walls to prevent their falling or sliding. All equipment using natural gas shall be anchored. Care shall be taken to avoid placement of such objects where they could topple or move and block exit doors. (Revised from 1997 the WLUP FEIR Measure I-7b)

Non-structural interior elements (ceilings, partitions, light fixtures, HVAC, pipes, etc.) shall be designed to withstand strong ground shaking and remain intact. This shall be accomplished, for example, by selecting lightweight materials and firmly securing them to

structural elements of the building and by using flexible connections for pipes. (1997 WLUP FEIR Measure I-7d)

The Port shall require the use of flexible utility connections and fasten water heaters to walls. Require the installation of automatic shut-off valves in all natural gas pipelines and provide similar emergency shut-off valves for other gas (oxygen and nitrogen) systems. Do not install automatic shut-off valves for water supplies. Require the posting of room/building layout diagrams that indicate the location of shut-off valves for natural gas. (1997 WLUP FEIR Measure I-7e)

The Port shall require fire extinguishers in all rooms and hallways and adjacent to all exit doors (including stairwell exits). Require that cabinets are not placed where they could overturn and block access to fire extinguishers. Require the training of all staff of offices, hotels, industrial facilities, restaurants and entertainment complexes in the use of fire extinguishers. (1997 WLUP FEIR Measure I-7f)

Implementation of this measure would reduce the hazards of an earthquake to an acceptable level of risk, within the requirements of the City of San Francisco. Earthquake hazards could not be entirely eliminated, and the proposed project would therefore result in significant effects related to earthquake hazards that could not be fully mitigated, by exposing increased numbers of persons to substantial danger in an earthquake.

Mitigation Measure IS-10 – Hazardous Materials Related to Earthquake Hazards

The Port shall take feasible steps to minimize potential earthquake safety risks related to hazardous materials in its operations and that of its tenants.

Specific steps may include appropriate seismic safety provisions, such as prohibiting the storage of hazardous materials in containers above head level (about five feet); anchoring hazardous materials shelves and heavy equipment to walls and floors; constructing heavy doors that are designed to remain shut during earthquake vibrations; providing hand-operable closures for vents and air ducts; and other provisions as discussed in the Association of Bay Area Governments' Hazardous Material Problems in Earthquakes: A Guide to Their Cause and Mitigation. Other measures shall be implemented as recommended by the San Francisco Fire Department and/or Health Department. Additionally, The Port shall prepare an Emergency Procedures Manual and periodically revise it to be consistent with changes in the facilities and operations. (1997 WLUP FEIR Measure I-8a)

The Port shall require the tenant to design all facilities for storage of hazardous chemicals in containers, such as cabinets, shelves, and drawers, to minimize potential hazards in an earthquake. The Port would require tenants to report on compliance and should conduct inspections for compliance (or contract with the Fire Department and/or Health Department to carry out inspections).

Storage facilities would include safety lips to contain spills and to reduce the likelihood of contents falling. All shelves and cabinets should be secured to a wall or ceiling. All cabinets and drawers should be provided with positive latches that would not open during earthquake motions and vibrations. Compressed gas cylinders, including empty ones, should be secured to fixed features. Gas cylinders should be secured at two locations along their vertical axis, one in the top one-third of the cylinder and another in the bottom third of the cylinder.

The Port would require storage of hazardous chemicals in approved containers and separation of incompatible chemicals in separate storage areas. If chemical storage is vented by an electric fan, an alternative (emergency) means of ventilation would be provided, which may be a mechanical (non-powered) vent. (Revised from the 1997 WLUP FEIR Measure I-8b)

Mitigation Measure IS-11 – Tsunamis

At the time of anticipated tsunami incursion, the San Francisco Police Department shall close off the immediate waterfront area of Aquatic Park, Fisherman's Wharf and the Hyde Street Pier to the public; all marina operators should close off access to the docks for the public and boat owners; and ferry boat operators should prevent people from standing on water-level ferry loading docks everywhere in the Project Area.

This mitigation measure would help to reduce the potential for casualties to occur from tsunami by keeping people away from areas where injury could occur. Damage to facilities would not be mitigated. (1997 WLUP FEIR Measure I-11a)

Mitigation Measure IS-12 – Facility Design

The Port and/or project occupants shall employ an engineer qualified in earthquake engineering to incorporate into the final design of individual facilities included in the project all economically feasible engineering methods to reduce the potential for loss of life-line services. This may include methods to improve unstable ground conditions, to strengthen infrastructure to be more resistant to earthquake induced ground movements, and to organize and prepare for earthquake response.

While specialized techniques for ground improvement to reduce liquefaction hazards likely are not practical or economically feasible over large areas, ground improvements within selected strategic sites may result in substantial hazard reduction to utility systems. In such areas a variety of ground stabilization techniques may be considered, such as compaction grouting, placement of stone columns, and deep soil mixing. (Revised from the 1997 WLUP FEIR Measure I-9a)

The project design shall incorporate flexible connections for utility lines and provide back-up supplies of water, power generators, and battery-operated telecommunications equipment. (Revised from the 1997 WLUP FEIR Measure I-9b)

Mitigation Measure IS-13 – Facility Inspection

Following construction of the proposed project, an inspection schedule shall be developed and followed for regular inspection and evaluation of the condition of the piers. In conjunction with the inspection schedule, a maintenance and repair schedule shall be developed and implemented. (Revised from the 1997 WLUP FEIR Measure I-10a)

Some measures specified in the FEIR do not apply to the project analyzed in this Initial Study and are not included above. The measures not included are:

- I-2 specifying requirements for open sub-grade structures and pits because there would be no sub-grade structures or pits created as a result of this project.

- I-5 specifying requirements for dredging projects because dredging would not be required for the proposed project.
- I-6 requiring that areas not immediately redeveloped be secured against life safety hazard and the potential to damage adjacent properties.
- I-7a regarding new high-occupancy and mid-rise structures (i.e. on the order of 6 to 15 stories) because the project would not include a high-occupancy or mid-rise structure.
- I-7c requiring emergency response supply and equipment storage for high occupancy buildings because the proposed project would not include a high occupancy building.
- I-7g requiring the Port to prepare an emergency preparedness and response plan and to require facilities with over 100 visitors or employees to prepare their own plan because the required Port plan has been prepared and the proposed project would not include more than 100 visitors or employees.
- I-9c requiring the Port and the City's Office of Emergency Services to plan routes of alternative emergency access to development sites because this is outside of the requirements of the proposed project and should be completed by the Port.
- I-11b requiring construction of larger and higher breakwaters at the Hyde Street Pier, Fisherman's Wharf, and marinas because this is outside of the scope of the proposed project.

WATER QUALITY

Mitigation Measure IS-14 – Construction Activities

The Port would ensure that construction activities are scheduled to avoid conflict with special activities of the nearby swimming clubs.

Mitigation Measure IS-15 – Storm Water Runoff at F. Alioto Site

Storm water runoff from the roof of the proposed F. Alioto building shall be directed through gutters and roof leaders towards discharge to the Bay. Roofing materials shall be specified to minimize introduction of pollutants into storm water runoff. This measure, if consistent with all applicable water quality regulations, could reduce volumes flowing to the combined sewer system.

Mitigation Measure IS-16 – Storm Water Runoff at Cal Shell Site

Storm water runoff from the Cal Shell support space along Fish Alley shall be collected and treated prior to discharge to the Bay. This measure could further reduce volumes flowing to the combined sewer system, if consistent with all applicable water quality regulations.

HAZARDOUS MATERIALS

Mitigation Measure IS-17 – Health and Safety Plan

Potential hazards to construction workers and the general public during demolition and construction shall be mitigated by the preparation and implementation of a site-specific health and safety plan. The health and safety plan shall meet the requirements of federal, state and local environmental and worker safety laws. Specific information to be provided in the plan includes identification of contaminants, potential hazards, material handling procedures, dust suppression methods, personal protection clothing and devices, controlled access to the site, health and safety training requirements, monitoring equipment to be used during construction to verify health and safety of the workers and the public, measures to protect public health and safety, and emergency response procedures.

Mitigation Measure IS-18 – Soil Classification

During construction, excavated soil shall be stockpiled on plastic, sampled for waste classification purposes, and legally disposed of. In the event that the soil were characterized as a hazardous waste according to State or Federal criteria, the soil shall be disposed of at a Class I disposal facility. Soil classified as a non-hazardous waste could be disposed of at a Class II or III disposal facility in accordance with applicable waste disposal regulations.

C. IMPROVEMENT MEASURES IDENTIFIED IN THE EIR

LAND USE AND PLANNING

Improvement Measure IM-1 – Compliance with Fish Alley Design Criteria

Prior to approval of a new building for F. Alioto or of other new construction on the Wharf J-10 site, the Port shall review the design(s) for consistency with the Design Criteria for Seawall Lots 302 & 303 (Fish Alley Area) included in the Waterfront Land Use Plan (WLUP) Design and Access Element. The Port shall ensure that any design approved for construction is consistent with the design criteria to the maximum extent feasible consistent with other WLUP policies, including ensuring the continuation of fishing industry operations at Fish Alley, and consistent with existing lease provisions and other requirements.

CHAPTER V

SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

In accordance with Section 21067 of the California Environmental Quality Act (CEQA), and with Sections 15040, 15081, and 15082 of the State CEQA Guidelines, the purpose of this chapter is to identify impacts that could not be eliminated or reduced to an insignificant level by mitigation measures included as part of the project, or by other mitigation measures that could be implemented, as described in Chapter IV, Mitigation Measures. This chapter is subject to final determination by the San Francisco Planning Commission as part of the certification process for the EIR. If necessary, this chapter will be revised in the Final EIR to reflect the findings of the Planning Commission.

As discussed in Chapter III, Environmental Setting and Impacts, and Chapter IV, Mitigation Measures, implementation of the proposed project would result in significant environmental effects on historic architectural resources (Wharf J-10 and the potential California Register of Historical Resources-eligible district to which Wharf J-10 is a contributor) that could only be eliminated by selection of an alternative project. If selection of an alternative project is infeasible, possible mitigation measures would include recordation of the historic architectural resource prior to its demolition. Implementation of this measure would reduce impacts to historic architectural resources, but not to a less-than-significant level. As such, demolition of the historical resource would result in significant and unavoidable impacts.

CHAPTER VI
ALTERNATIVES TO THE PROPOSED PROJECT

This chapter identifies alternatives to the proposed project and discusses environmental impacts associated with each alternative. Project decision-makers could adopt any of the following alternatives, if feasible, instead of approving the proposed project.

CEQA Guidelines require that an EIR describe and evaluate the comparative merits of a range of alternatives to a proposed project, or alternative locations of a project site, that could feasibly attain most of the basic objectives of the project. The purpose of the alternatives evaluation is to foster informed decision-making and public participation. The discussion of alternatives must "focus on alternatives capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or be more costly." The significant adverse impact of the proposed Wharf J-10 project would be the demolition of an historical resource. An EIR is not required to consider alternatives that are infeasible. The EIR should discuss the rationale for selecting alternatives to be discussed, and should also identify alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and should explain this latter determination.

The alternatives presented and analyzed in this EIR establish a framework for evaluating options other than the demolition, described in Chapter II, Project Description. The alternatives evaluated below include a No Project Alternative and three other alternatives: Historic Rehabilitation of Wharf J-10 with a New Substructure, Reconstruction of Wharf J-10 with Salvaged Elements, and Construction of a New Facility Consistent with Design Criteria.

A. NO PROJECT

DESCRIPTION

This alternative would entail no change to the site. The existing building and wharf substructure would not be demolished and would not be replaced with a new fish processing facility, a concrete staging area, or a fish receiving wharf.

IMPACTS

Under this alternative, immediate impacts to historical resources would be avoided. However, Wharf J-10 would continue to deteriorate and would continue to pose a public safety hazard that

could pose a danger to people, either directly or indirectly, through falling debris or potential damage to adjacent structures. Further deterioration could also adversely affect water quality due to debris falling in the water and it is reasonable to assume that, if left in its current condition, Wharf J-10 would ultimately collapse, thereby resulting in similar historic architectural resource impacts as the proposed project.

It is unlikely that any submerged archeological resources would be immediately affected because no new piles would be driven and no new riprap would be placed under this alternative, unless or until the structure were to collapse and be replaced.

B. HISTORIC REHABILITATION OF WHARF J-10 WITH NEW SUBSTRUCTURE

DESCRIPTION

The intent of this alternative is to re-situate the building on a reconstructed substructure and rehabilitate the shed structure in accordance with the WLUP's Fish Alley design criteria, which were developed consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. This alternative would involve the rehabilitation of the Wharf J-10 building atop a new wharf substructure. Due to the deterioration of the substructure that precludes use of construction equipment on, or entry of workers to, the site, reconstruction of the substructure would require that the building be suspended off of the ground for the duration of the reparation and stabilization of the wharf substructure. Port engineering staff has theorized that a steel-frame cage-like structure could possibly be built around the existing fish processing building, with the building connected to this cage, to support and stabilize the building during work on the substructure.

After stabilization of the substructure, the building would be replaced on its original footprint and rehabilitated according to the WLUP's Fish Alley Design Criteria. However, it is not known with certainty whether this, or another, engineering solution would be physically feasible given the fragile condition of the substructure. According to the Port, instituting this engineering approach to structurally support the Wharf J-10 building while the substructure is removed and replaced would require driving piles around the perimeter of the entire facility, and possible penetrations through the building in certain locations. The vibration impacts of the required pile driving could itself trigger the collapse of the facility before the Wharf J-10 building was secured. The attachments between the steel frame cage to the building itself could result in substantial damage or loss of historic building materials that would reduce the historic integrity of the structure.

IMPACTS

Under this alternative, some impacts associated with historic resources would be avoided. Rehabilitating Wharf J-10 would avoid the significant impact on the potential California Register-eligible historic district, and on Wharf J-10, a contributing resource, that would occur under the proposed project. However, it is possible that the building could sustain substantial damage during reconstruction of the wharf substructure due to the strain of being suspended.

In addition, due to the state of deterioration of some of the piles that support the wharf, it is likely that pile replacement would be necessary under this alternative. This would require the removal of deteriorated piles, which would be cut approximately six inches above the Bay floor, and the addition of new piers that would be driven into the Bay. New piles being driven into the Bay, both for long-term structural support and to temporarily uphold the Wharf J-10 building during reconstruction of the substructure, could adversely affect submerged archeological resources, if present, as would be the case with new construction under the proposed project. The pile driving associated with this alternative, therefore, would not avoid the potentially significant impact on the sunken Gold Rush-era shipwrecks that could be located under the project site and mitigation would be required to reduce this impact to a less-than-significant level, although the mitigation identified for the proposed project (subsurface testing prior to pile-driving) would be substantially complicated by the presence of the existing building. Also, if new piles were required, this could cause further damage or alteration to the existing building if the piles had to go through the building.

Because the new building would likely maintain the same design as the existing building, this alternative would be consistent with the Fish Alley Design Criteria, unlike the proposed project.

Effects related to hazardous materials would be the same as those with the proposed project.

The Port believes that this alternative would be prohibitively expensive because it would require attempting to support the existing building while replacing its substructure, and Port staff has not identified any proven methodology for such an undertaking.

C. RECONSTRUCTION OF WHARF J-10 WITH SALVAGED ELEMENTS

DESCRIPTION

This alternative would involve the demolition of the existing Wharf J-10 building and substructure and the reconstruction of a portion of the site with a new single-story fish processing facility by the F. Alioto Fish Company, using salvageable materials, including siding, roof tiles, shutters, signage, etc. from the existing building. The design of the new building would be

consistent, insofar as is possible, with the Fish Alley Design Criteria of the Waterfront Land Use Plan Design and Access Element. The purpose of this alternative would be to help maintain the historic and architectural character of the site, as well as to minimize impacts of incompatible construction on the remainder of Fish Alley, including the two other historic buildings at 2907-2909 and 2911 Jones Street that would remain following demolition of the Wharf J-10 building and substructure. Because of the instability of the Wharf J-10 substructure, temporary structural bracing would have to be installed to support the load of workers engaged in removing the materials to be salvaged. However, it is not known whether a contractor could guarantee that a temporary support system that the contractor designed would adequately protect the safety of construction workers.[24]

IMPACTS

Under this alternative, the impacts to the existing potential California Register-eligible historic district that are associated with the demolition of Wharf J-10 would remain the same as under the proposed project, and would be significant and unavoidable. However, in addition to the documentation of Wharf J-10, this alternative would further lessen the significant impact of demolition of the historic resource by retaining aspects of the character of the existing structure through the reuse of its elements on the proposed replacement fish processing facility, although this impact would remain significant and unavoidable. This alternative would also diminish the less-than-significant impact of new construction on the two other historic buildings at 2907-2909 and 2911 Jones Street that would remain following demolition of Wharf J-10.

It is unlikely that this alternative would reduce potential impacts on archeological resources associated with new pile driving that would occur under this alternative in a manner similar to that of the proposed project, as this alternative, like the project, would entail construction of a new substructure.

Effects related to hazardous materials would be the same as those with the proposed project.

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[24] The Port's engineering contractor concluded that it was not possible to guarantee such a structure to support repairs to the Wharf's substructure. Holmes Culley Engineers, under contract by F. Alioto Fish Company, proposed to design a temporary substructure support system. While Holmes Culley identified an engineering concept when the Port solicited a proposal for a design contract, that firm submitted a proposed design contract that would have capped its liability at $250,000. Given that Port engineers and its independent contract engineers concluded that the design did not provide adequate protection for construction workers, the Port did not proceed with the contract..

CHAPTER VII
DRAFT EIR DISTRIBUTION LIST

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CHAPTER VIII
APPENDICES

A. Initial Study and Notice of Preparation

B. Architectural Resources Group Design Review

C. Hazardous Materials and Hazardous Wastes

APPENDIX A

INITIAL STUDY AND NOTICE OF PREPARATION

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

Date of this Notice: July 17, 2004

Lead Agency: San Francisco Planning Department
1660 Mission Street, 5th Floor, San Francisco, CA 94103

Agency Contact Person: Nannie Turrell **Telephone:** (415) 558-5994

Project Title: 2001.0636E: Wharf J-10 Demolition and (Partial) Reconstruction
Project Sponsor: Port of San Francisco
Contact Person: Diane Oshima **Telephone:** (415) 274-0553

Project Address: Wharf J-10, 2936 Hyde Street, north of Fish Alley
Assessor's Block and Lot: A portion of Lot 1, in Assessor's Block 007
City and County: San Francisco

Project Description (Wharf J-10; Portion of Lot 001, Block 007): The proposed project is located on land under the jurisdiction of the Port of San Francisco (Port) located at 2936 Hyde Street on Wharf J-10, north of Fish Alley and Jefferson Street between Leavenworth and Hyde Streets. The project would include the demolition of the existing 24,400-square-foot (sq-ft) wharf, including substructure and pilings, as well as the existing approximately 21,000-sq-ft, 18-foot tall fish processing building. After demolition of Wharf J-10, the Port would improve the site by repairing the existing retaining seawall, creating a level surface along the north side of Fish Alley, and stabilizing the water's edge with rip rap..

After demolition, , the existing tenants of the site would have the option of rebuilding facilities to serve their businesses. Tenant improvements could include the proposed reconstruction, by an existing tenant, the F. Alioto Fish Company (F. Alioto), of a new, pile-supported, 17,312-sq-ft, 40-foot high fish processing facility, with 1,500 square feet (sf) of wharf along the Bay and by another existing tenant, California Shellfish Company (Cal Shell), improvement of an approximately 1,714-sq-ft unenclosed portion of the Wharf J-10 site for fish loading, staging, storage and support uses that serve their fish processing business across the street, on the south side of Fish Alley. In addition, the Port would construct an approximately 3,435-sq-ft fish receiving wharf within a portion of the area now occupied by the existing fish processing building on Wharf J-10. The project would require the following approvals: (1) Port issuance of demolition and building permits; (2) Port Commission lease amendment(s), approval of and agreement to reconfigure leasehold premises, (3) Bay Conservation Development Commission (BCDC) approval; and (4) Regional Water Quality Control Board, San Francisco Bay Region, water quality certification.

The project site is in a C-2 (Community Business) Zoning District and a 40-X Height and Bulk District.

Building Permit Application Number, if Applicable: None

THIS PROJECT MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. AN ENVIRONMENTAL IMPACT REPORT IS REQUIRED. This determination is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15063 (Initial Study), 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and the following reasons, as documented in the Initial Study for the project, which is attached.

Paul Maltzer, Rep

PAUL MALTZER, Environmental Review Officer

WHARF J-10 DEMOLITION PROJECT
INITIAL STUDY
2001.0636E

I. PROJECT DESCRIPTION

PROJECT LOCATION

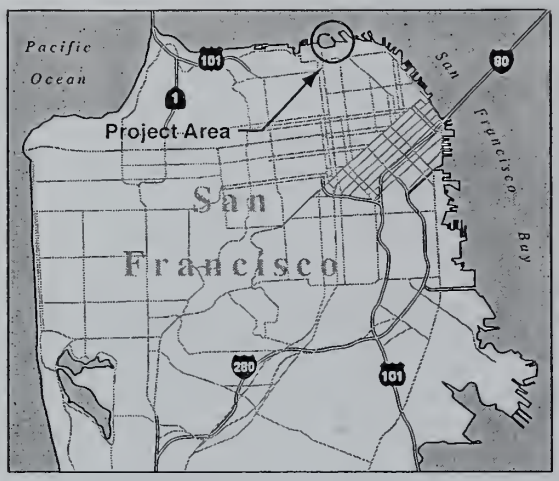
The project site, Wharf J-10, is within the Fisherman's Wharf area of San Francisco's Northeastern Waterfront, an area adjacent to San Francisco Bay, which is characterized by fishing industry and restaurant and retail commercial uses. Wharf J-10 is at 2936 Hyde Street, situated between the Hyde Street Pier and its Commercial Fishing Harbor and Richard Henry Dana Place (an extension of Leavenworth Street), on the north side of Fish Alley, in the block to the north of Jefferson Street, as shown on Figure 1. The project site is within a C-2 (Community Business) Zoning District, Waterfront Special Use District No. 1, and a 40-X Height and Bulk District.

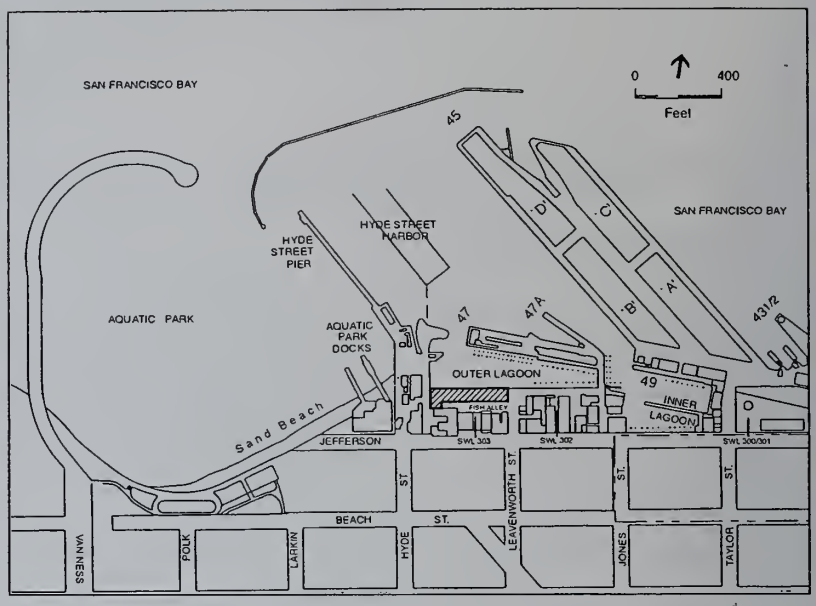
The approximately 24,400-square-foot (sq.-ft.) project site is accessed by land from Fish Alley, north of Jefferson Street, and by water from within the Fisherman's Wharf Lagoon, a part of San Francisco Bay. The portion of Jefferson Street that borders Fish Alley is occupied by restaurants, an insurance brokerage, and fish processing buildings that are occupied by the F. Alioto Fish Company (F. Alioto) and California Shellfish Company (Cal Shell) (see Figure 2). Across Jefferson Street to the south is the Cannery, a shopping complex. The terminus to the Hyde Street Cable Car is located in Aquatic Park one block west, on the eastern side of Hyde Street. Access to the Hyde Street fishing harbor/marina, Wharf J-11, runs along the west side of Wharf J-10.

EXISTING PROJECT SITE CONDITIONS

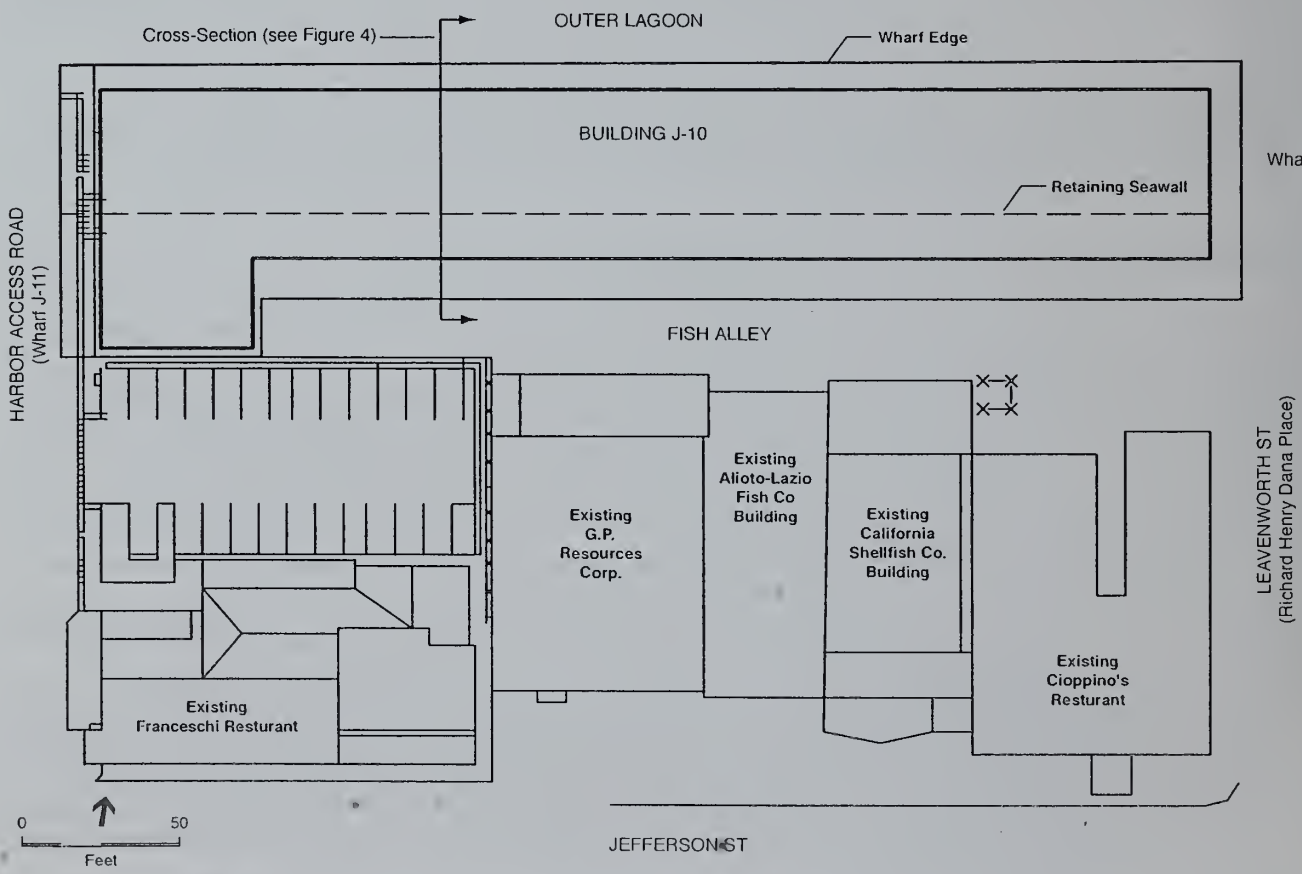
Wharf J-10 extends approximately 350 feet along the block bounded by Leavenworth Street, Hyde Street, Fish Alley, and the San Francisco Bay and comprises a wharf substructure and a building. The existing building on Wharf J-10 is a one-story plus mezzanine (approximately 18-foot tall), rectangular building that measures approximately 350-by-50 feet in dimension, with its greater dimension running east to west along Fish Alley. The building also has an approximately 30-by-50-foot addition attached to the southwestern corner of the building, abutting the Hyde Street Harbor access road. The structure is sited at the water's edge alongside the Fisherman's Wharf Lagoon (see Figure 3). Approximately 15 feet of the southern half of the wharf is located on the level upland portion of the site and is partially supported by a redwood timber retaining wall that defines the water's edge (a seawall). Approximately 35 feet of the northern half of the building and an additional 10-foot edge of wharf extends over the water (see Figure 4). The wharf substructure consists of a concrete platform supported on approximately 173 creosote-treated[1] timber piles that have been driven into the sloping mudline of the bay. A timber retaining seawall underneath the wharf separates the land side of the wharf from the water side of the wharf. The wharf contains additional supporting elements such as stringers and pile cap beams.

[1] Creosote is a wood preservative used in a marine environment.





Project Site



SOURCE: Environmental Science Associates

Wharf J-10 Demolition and Reconstruction / 203428

Figure 1
Project Location

View 1: View of north side of Jefferson looking west from Leavenworth Street

View 2: View of north side of Jefferson Street, looking east from Hyde Street

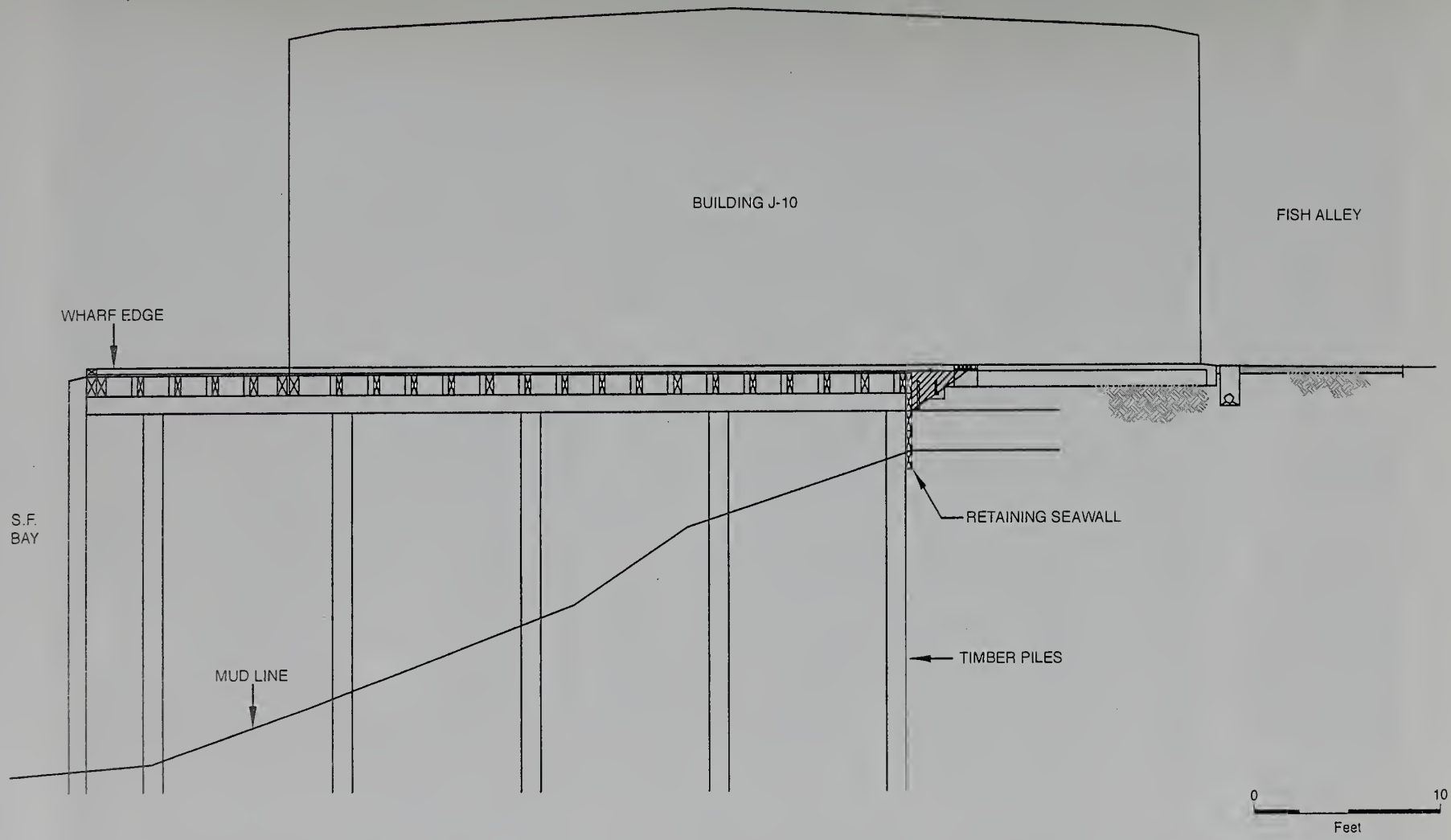
SOURCE: Environmental Science Associates

Figure 2
Views of Jefferson Street

SOURCE: Environmental Science Associates

Wharf J-10 Demolition and Reconstruction / 203428

Figure 3
View of Wharf J-10 from
Outer Lagoon, Looking South



SOURCE: Port of San Francisco

Figure 4
Cross Section

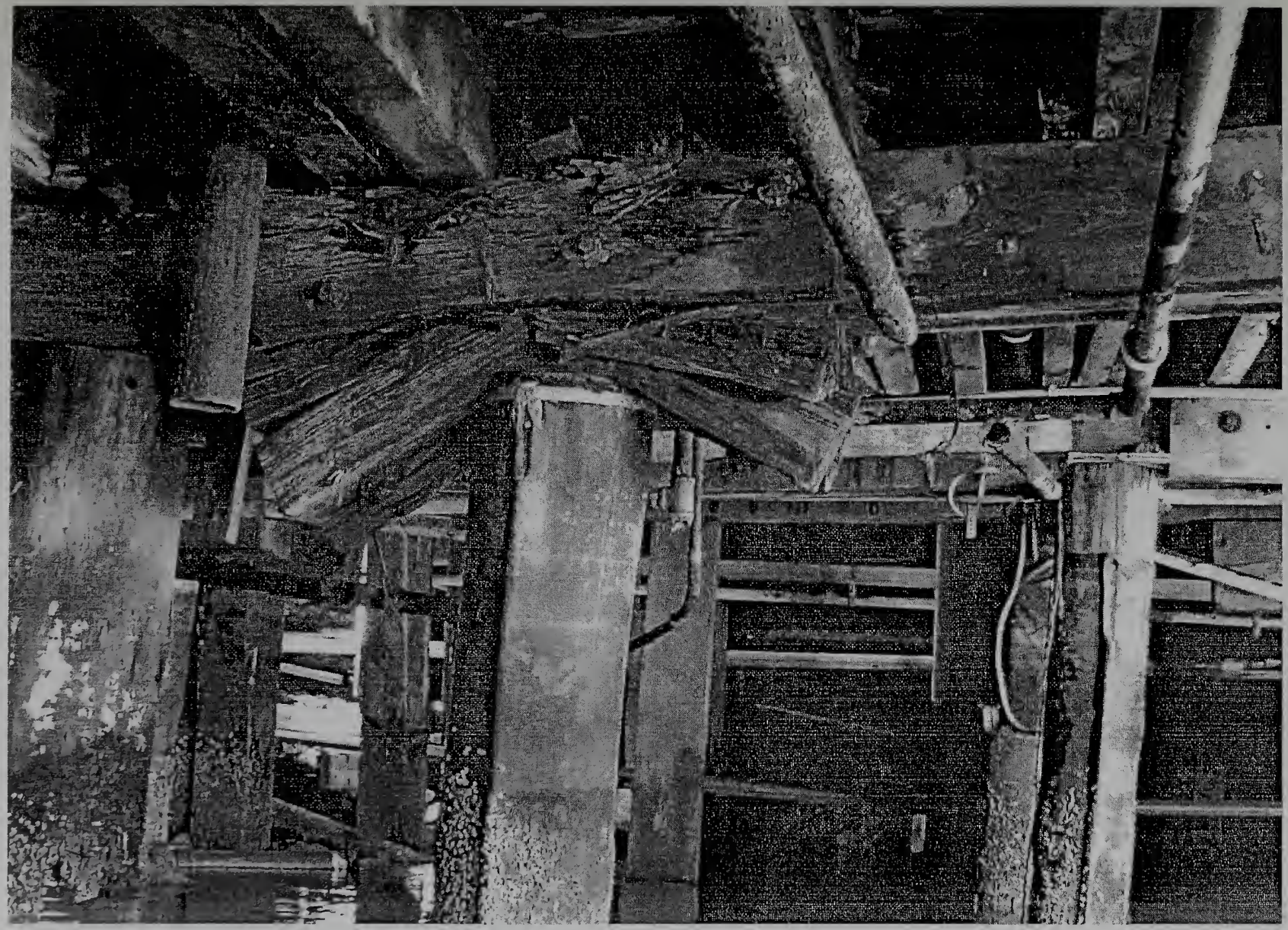
Wharf J-10 is currently connected to Wharf J-9 to the east and Wharf J-11 to the west. According to the Port's Fishery Wharf J-10 Facility Emergency Engineering Study, the existing wharf substructure is in an advanced state of deterioration.[2] The engineering study found that the concrete slab overlying the wood decking in the fish processing building is cracked and deteriorated due to differential movement, and that the existing wharf construction is deteriorated and not capable of supporting the 250-pound-per-square-foot (psf) live load required. In addition, supporting elements, such as the timber piers, stringers, and pile cap beams are failing (see Figures 5 to 7). The study further found that the structure is not capable of supporting the required 125-psf live load for the mezzanine and that the lateral bracing is not capable of bracing the building enough to be in compliance with current code lateral force requirements. The study concluded that the wharf's structural elements were in danger of collapsing and that the building was not safe for occupation.

In August 2000, the Port of San Francisco (Port) issued a Notice to Vacate the fish processing building on Wharf J-10 and the supporting wharf substructure because of the potential for imminent collapse due to the deterioration of the substructure, and required the two fishing industry tenants (F. Alioto and Cal Shell) to vacate the site. Two other tenants had abandoned their leases a few years earlier. The Port then installed steel brace framing to temporarily shore up the northwest corner of the structure where there were large visible cracks in the exterior walls. Utilities to Wharf J-10 were cut off after the site was vacated in August 2000.

Wharf J-10 has continued to deteriorate since the tenants were evacuated in August 2000. In November 2002, Port engineers noticed further building deterioration during an inspection of the wharf substructure and building. The most recent deterioration occurred during December 2003, when between 500 and 1000 square feet of the northwestern portion of the wharf decking collapsed into the water. Further damage occurred as a result of a fire on March 28, 2004. A site visit was conducted by a Port engineer on March 29, 2004, to ascertain the extent of the fire damage. The Port reported that three truss structures on the east end of the building appeared to be charred. Two of the trusses suffered minimal damage. However, the third truss suffered significant damage due to the loss of a cross sectional area approximately one-half inch around bracing members and the bottom chord member. In addition, approximately 5 to 10 percent of the roof was removed by the San Francisco Fire Department to access the building during the fire. No significant structural failures or hazards beyond those previously present resulted from the fire (Port of San Francisco, 2004).

The Wharf J-10 fish processing facility and wharf substructure were constructed in 1919 by the State Board of Harbor Commissioners, the State agency that was the predecessor to the Port of San Francisco, to accommodate fish packing departments, storerooms and waterside docking facilities, as well as some accessory office use. The building remained in fishing industry use until it was condemned in August 2000. The wood frame building was originally constructed of two-inch ship-lap wood siding and wood trusses, and is supported by wood piles on a wood substructure with a concrete topping slab floor.

[2] Port of San Francisco, Fishery Wharf J-10 Emergency Engineering Study, Revised Draft, undated.



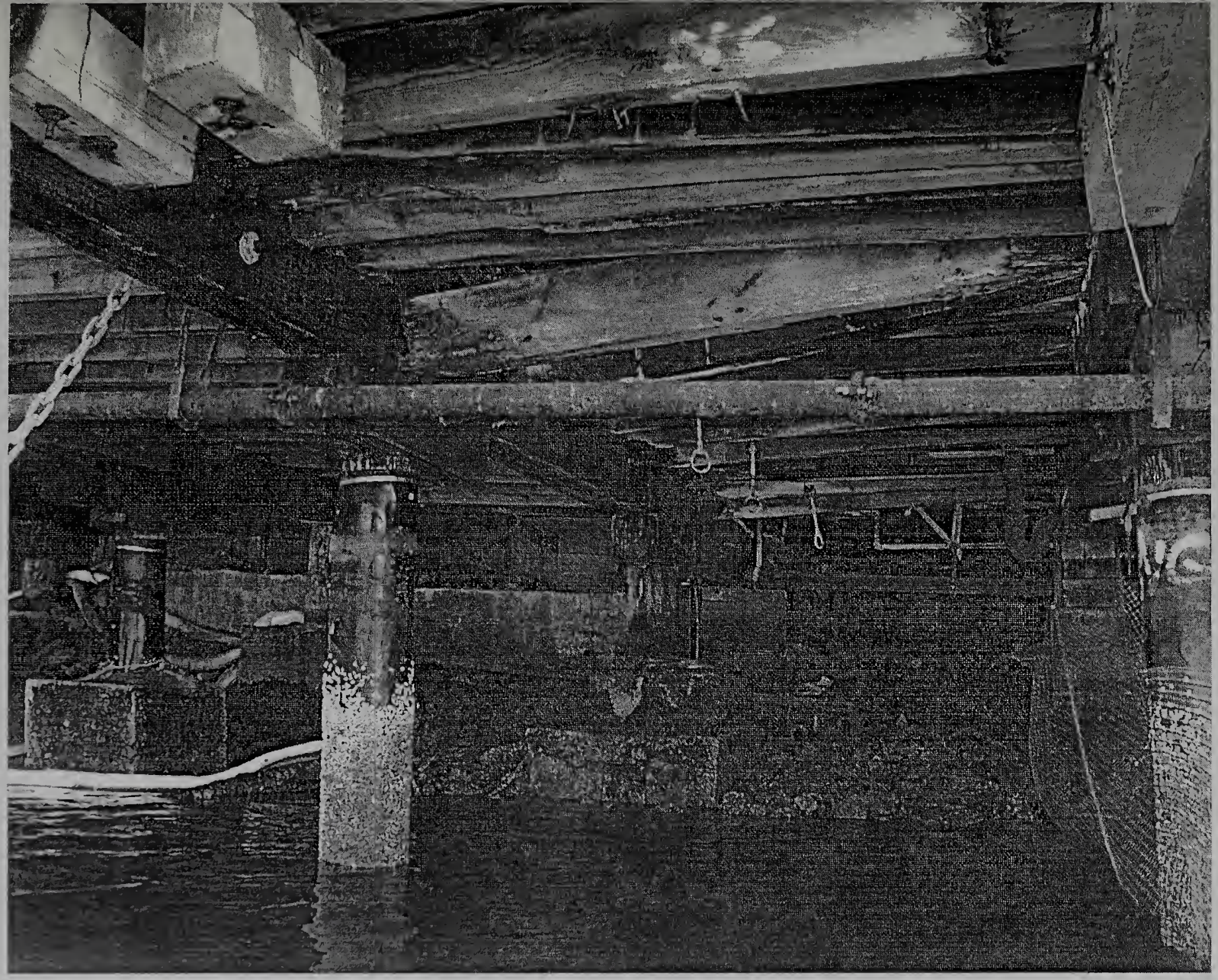
SOURCE: Port of San Francisco

Figure 5
Conditions of Pile Cap Beam on Column Line 2

Wharf J-10 Demolition and Reconstruction / 203428 ■

SOURCE: Port of San Francisco

Figure 6
Progressive Failure of Pile Cap Beam on Column Line 3



SOURCE: Port of San Francisco

Wharf J-10 Demolition and Reconstruction / 203428 ■

Figure 7
J-9 – J-10 Interface on Column Line 36
Progressive Loss of End Supports

The building is Mission Revival in architectural design and has eight arched recessed openings on the north and south facades, as well as a red tile skirt-roof. Although the structure is extant, it is deteriorated, and has been altered on the interior and exterior over its approximately 85-year lifetime. Alterations include the construction of interior mezzanines and replacement of doors and windows, as well as repair of the east end of the building as a result of fire damage in 1997. Wharf J-10, along with two other structures in the Fish Alley area, appear to be collectively eligible for the California Register as contributors to a small potential historic district.[3]

Groundwater and saturated soil in the area are contaminated by petroleum, likely resulting from the former Mobil Oil Bulk Terminal at 440 Jefferson Street, immediately south of the site across Fish Alley. Mobil (now Exxon/Mobil) has been monitoring groundwater at the site since 1992 in compliance with a Regional Water Quality Control Board (RWQCB) order.

PROPOSED PROJECT

The Port proposes to demolish the fish processing building and wharf to abate an existing public health and safety hazard caused by the unsafe structure and its potential for collapse. Hazardous materials such as lead paint and asbestos have been removed. The Wharf J-10 structure would be detached from Wharf J-9 to the east and Wharf J-11 to the west prior to demolition. Most supporting piles would be removed, with the exception of approximately 34 existing wharf edge piles that would be used as marking piles for maritime purposes and for providing strength to the slope. However in order to provide the most conservative estimates of the impacts of pile removal under CEQA analyses, this environmental review assumes that all 173 piles would be removed. Piles to be removed would be saw cut six inches above the mudline, not pulled or fractured, to avoid disturbing sediments in the Bay.

One existing Exxon/Mobil monitoring well would be affected by the proposed project and would have to be properly abandoned prior to demolition. The San Francisco Bay Regional Water Quality Control Board (RWQCB) may require subsequent replacement of this well to allow continued groundwater monitoring.

The proposed project would disturb soil up to two feet below ground surface, which is unlikely to be affected by existing groundwater contamination (see Section 12, Hazards). Soil would be stored on-site in a covered stockpile and properly characterized prior to disposal.

Where the wharf intersects the land, the upper portion of the existing earth embankment is supported behind an existing retaining wall that is an integral part of the wharf's substructure. The existing retaining wall and rip-rap are to be maintained and repaired if necessary. If required to reduce the lateral forces on the retaining wall, soil would be excavated from behind the wall and the wall lowered, with rip-rap added to the resulting slope inland from the wall. In order to achieve the continuous 1:1-1/2 slope desired for protection and stability, the Port estimates that about 45 cubic yards (cys) of excavated soil

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[3] Architectural Resources Group, *Fish Alley Study Area Historic Resources Evaluation and Design Recommendations*, September 2001.

would be removed and approximately 350 cys of rip-rap would be placed at this location (see Figure 8). A level surface would be created above the retaining wall and slope, with a bullrail (a large wooden beam bolted to the ground) separating the level surface from the existing Fish Alley roadway. Guard rails would be provided at each end of the rip-rap area at the transitions to Wharves J-9 and J-11.

Demolition of the vacant fish processing building and removal of the damaged portion of Wharf J-10 is expected to commence within Summer/Fall 2004 and would take approximately 1 month to complete. The Port estimates the cost for the demolition to be approximately $766,000.

After demolition, the tenants of Wharf J-10 and the Port have the option to rebuild facilities to support their businesses and fishing industry operations. , New construction would consist of the following elements (see Figure 9):

1) A portion of Wharf J-10 would be reconstructed, including a new, pile-supported fish processing building for use by the F. Alioto Fish Company within its leasehold on the western side of the project site. Approximately 5,600 square feet of the proposed wharf would be constructed over the water—including an approximately 1,400-sq-ft wharf edge. The wharf would contain between 45 and 60 piles and a concrete deck.[4] The proposed fish processing building would contain a total of 17,312 sf, including approximately 9,822 sf on the "Wharf" (ground floor) and mezzanine levels and 7,490 sf of area on the first floor (see Figure 10). Approximately 4,200 sf of the northern side of the building would be built on the portion of the wharf that is over the water and approximately 3,200 sf would be built on land on the southern side of the building. In addition, a 10-foot-wide wharf deck would span the entire length of the north side of the proposed building over the Bay. The proposed building would be approximately 40 feet in height, measured according to the San Francisco Planning Code, with limited roof elevations of approximately 44 feet above the main entrances on the north and south elevations (see Figure 11). This project element may require the pump station located at Jefferson and Leavenworth Streets to be upgraded in order to accommodate increased sewage from the proposed fish processing building. Upon project implementation, conditions at the pump station would be monitored and, if needed, the pump station would be upgraded to meet future water quality and utility standards.

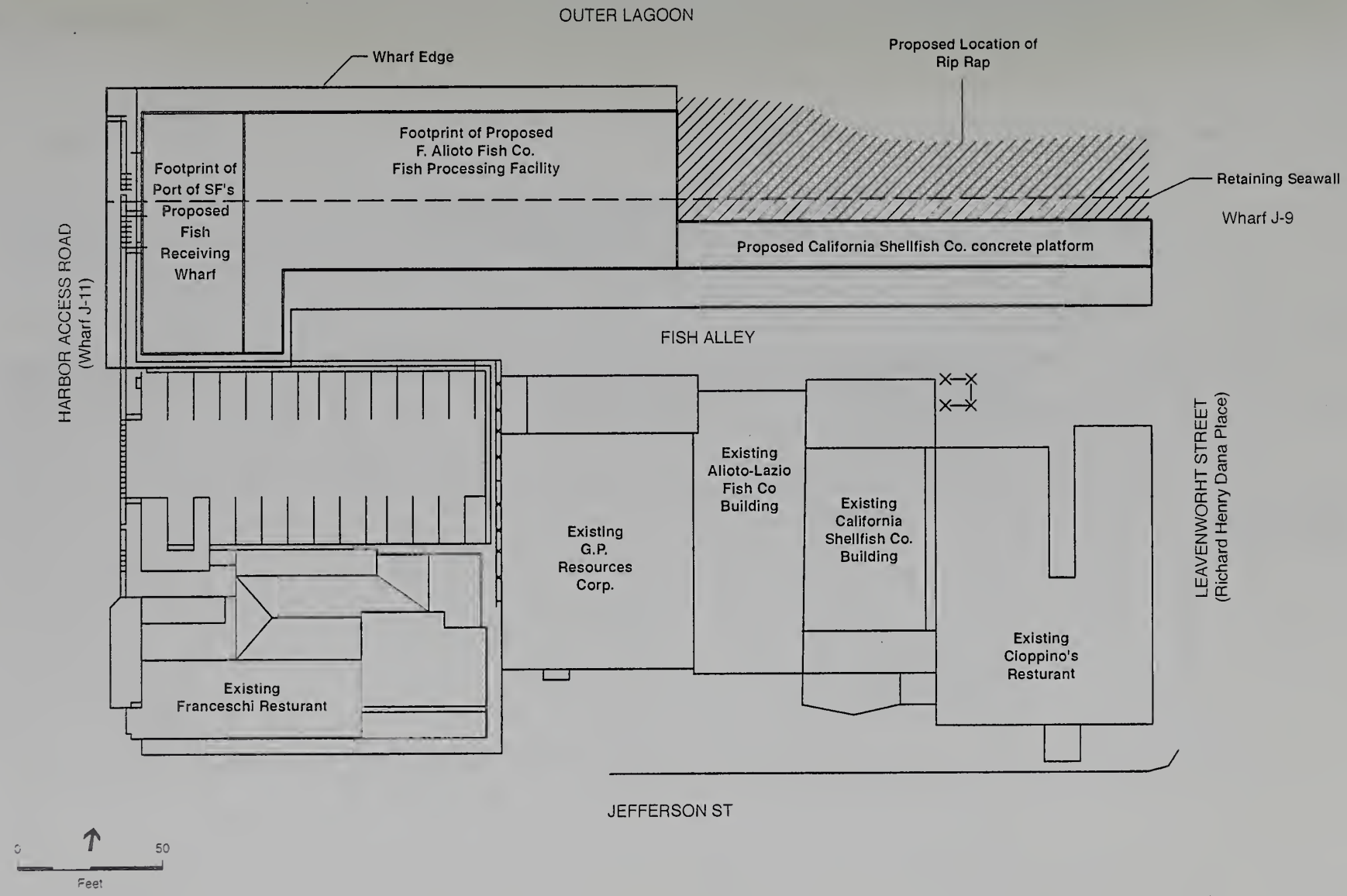
2) A 1,714-sq-ft concrete platform over the existing solid fill along the north side of Fish Alley would be used by the California Shellfish Company (Cal Shell) for purposes consistent with Cal Shell's leasehold, i.e., fish loading, staging, storage and support area serving Cal Shell's existing facilities on the south side of Fish Alley, near the corner of Leavenworth Street. The wharf building and substructure along this portion of the site would be demolished and replaced with the concrete platform inland of the retaining seawall. The top portion of the seawall would be removed and the remainder would be covered by rip rap in order to stabilize the shoreline. New

[4] The exact number of piles depends on the foundation plans, which have not yet been completed. For the purposes of this Initial Study, a generic set of parameters, based on standard engineering assumptions, were used to determine the number of piles that would be needed for the proposed building. If the project uses wood piles, the project would require approximately 60 piles and fender piles. If concrete or steel piles are proposed, the project would require approximately 45 piles and fender piles. Because it has not yet been determined which existing piles are in good enough condition to support new construction, this Initial Study conservatively assumes that all existing piles would need to be removed.

Wharf J-10 Demolition and Reconstruction / 203428 ■

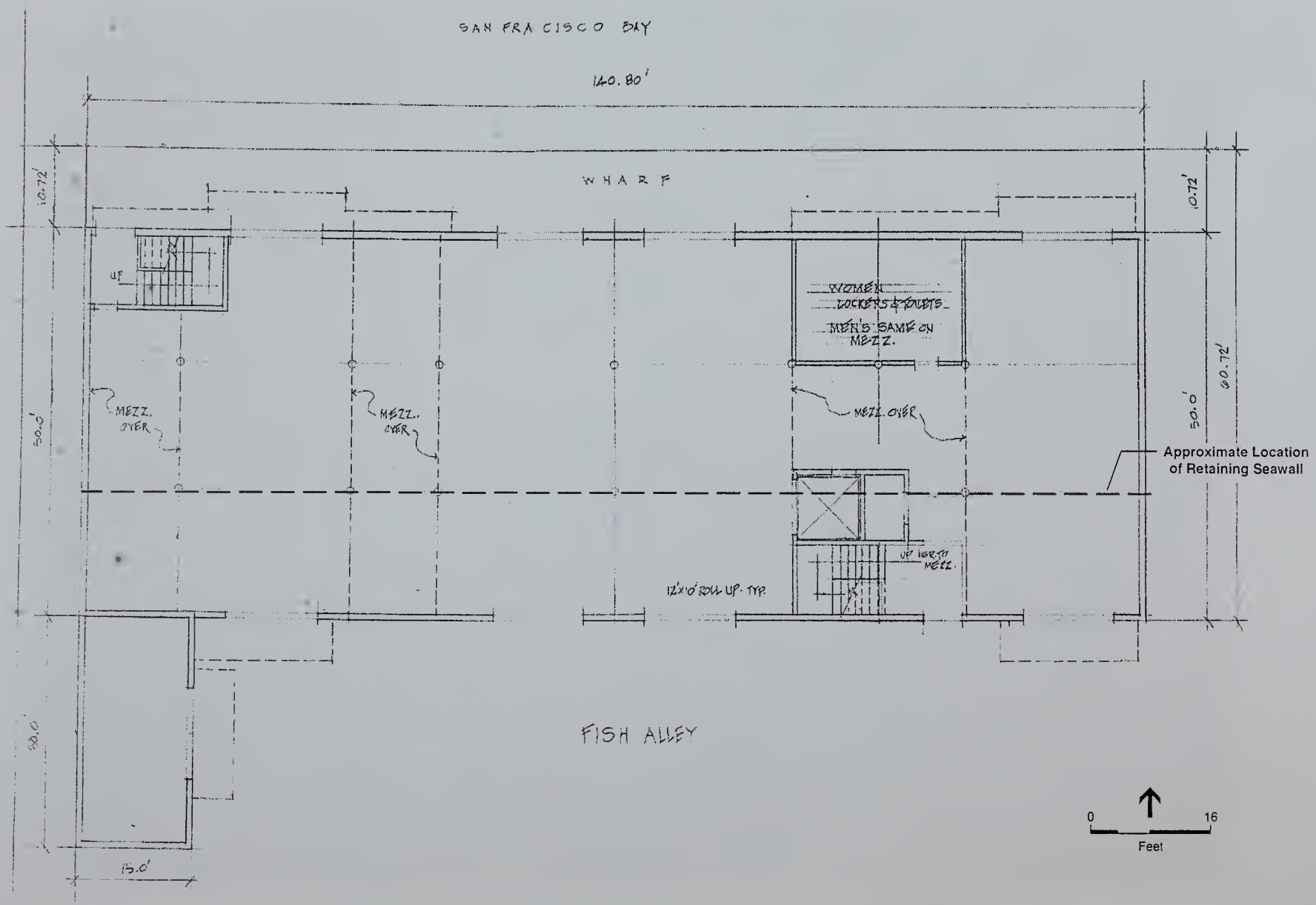
SOURCE: Port of San Francisco

Figure 8
Example of Rip Rap to be
Placed at Wharf J-10 Site



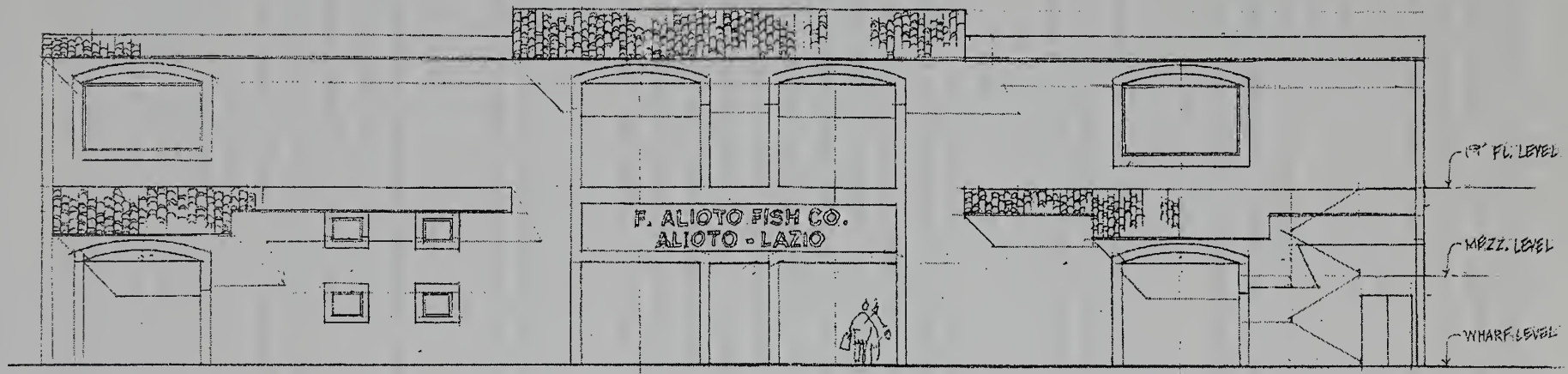
SOURCE: Environmental Science Associates

Figure 9
Proposed Site Plan



SOURCE: Gilbert Murphy Architect

Figure 10
Proposed F. Alioto Fish Co.
Fish Processing Facility Plan



SOURCE: Gilbert Murphy Architect

Figure 11
Proposed F. Alioto Fish Co.
Fish Processing Facility Elevation,
Southern Facade, View from Fish Alley

facing class rip rap would be placed over the existing poor-quality rip rap, which would serve as an underlayment for the new rip rap. The new rip rap would be placed along approximately 160 feet of the length of the slope, three feet inland between the existing seawall and the proposed concrete platform. The new rip rap would also be placed outboard of the existing seawall, extending between 10 to 25 feet into the Bay, with the narrowest width at the top of the slope and the widest width at the base of the slope, to establish a more stable shoreline.

3) The Port would construct an approximately 3,435-sq-ft open deck fish receiving wharf on a section of the project site between the Hyde Street Harbor access road and the proposed F. Alioto fish processing facility. This wharf would be designed to allow future construction of a fish receiving building on top of the deck.

Construction of these elements could begin after demolition in Fall 2004. The estimated cost of the Port's open deck fish receiving wharf is approximately $600,000. The estimated cost of proposed F. Alioto and Cal Shell improvements are not determinable at this time because no final plans are available.

PROJECT SETTING

The project site is along the northern edge of San Francisco's waterfront in the Fisherman's Wharf area adjacent to San Francisco Bay, an area that is dominated by the fishing industry and visitor-serving commercial land uses. Fisherman's Wharf, which is a major visitor attraction in San Francisco, encompasses approximately 374 acres of land and water generally bounded by the US Pier Head Line in the Bay to the north, Pier 35 on the east, Bay Street and Francisco Street to the south, and Municipal Pier (Aquatic Park) to the west. Most of the land (including the project site) is under the jurisdiction of the City and County of San Francisco, and roughly 10 percent is under the jurisdiction of the National Park Service as part of the San Francisco Maritime National Historical Park, which includes the Hyde Street Pier and its fleet of national historic landmark vessels, a visitor center on the ground floor of the Argonaut Hotel at the corner of Hyde and Jefferson Streets, a maritime museum and library, Aquatic Park, and Municipal Pier.[5]

Nearby neighborhoods include North Beach, Telegraph Hill, and Russian Hill. Fort Mason, which is just west of Aquatic Park and is approximately one mile to the west of the project site, is part of the Golden Gate National Recreation Area and is under the jurisdiction of the National Park Service.

Historically, Fisherman's Wharf was a center for the fishing and maritime industries such as boat repair, maritime equipment supply, and fish processing and canning. Fisherman's Wharf is still a center of the San Francisco Bay Area's fishing industry and retains many fish handling and processing facilities, including 108,000 sf of new fish off-loading, handling and distribution space at Pier 45, approximately one-fifth of a mile east of the project site. In addition to Pier 45, the Hyde Street Commercial Fishing Harbor (Hyde Street Harbor), which is adjacent to the project site, constitutes another major element of the Fisherman's Wharf commercial fishing center. The Hyde Street Harbor extends into the Bay just beyond the Outer Lagoon at the northern terminus of Hyde Street Harbor Access Road (see Figure 1).

[5] Municipal Pier was formerly part of the Golden Gate National Recreation Area, but responsibility for the pier was transferred to the Maritime National Historic Park in December 2003 (National Park Service (NPS) Visitor's Center, February 2004).

The Hyde Street Harbor opened in 2001 with a total of 190 berths. Fishing-related uses are also assembled around Fish Alley, such as F. Alioto's and Cal Shell's operations along Jefferson Street between Hyde and Leavenworth Streets and Coast Marine and Industrial Supply, Inc. at the northeast corner of Jefferson and Leavenworth Streets.

Jefferson Street, between Pier 39 and the San Francisco Maritime Museum National Historic Park (located at the western terminus of Jefferson Street roughly between Hyde Street and Van Ness Avenue), contains a high concentration of visitor-related commercial development. The north side of Jefferson Street is dominated by the fresh seafood restaurants, chowder houses, and crab shacks for which Fisherman's Wharf is well-known. The buildings along this side of Jefferson Street generally range between one to two stories. In addition, ferry services and bay cruises launch from the piers lining the north side of Jefferson Street, particularly at Piers 39 and 41. Visitor-serving retail uses, such as t-shirt and souvenir shops, dominate the south side of Jefferson Street. Other prominent destinations along the south side of Jefferson Street include The Cannery, an historic San Francisco Structure of Merit, and the Argonaut Hotel, a designated City Landmark, located on the block bounded by Jefferson, Beach, Leavenworth and Hyde Streets. The Cannery, a brick warehouse that was originally built as a peach cannery in 1907, was renovated in the 1960s into a shopping complex featuring clothing boutiques, art galleries, offices, restaurants, and a jazz club. The Argonaut Hotel borders The Cannery to the west and is located in the renovated historic Haslett Warehouse, a four-story timber and brick building completed in 1909 by the California Fruit Canners Association. In addition to a hotel, which opened in 2003, the Argonaut houses the Visitors Center for the San Francisco Maritime National Historic Park. In contrast to the one- to two-story buildings along the north side of Jefferson Street, buildings along the south side tend to be taller, at three to four stories in height.

The San Francisco Maritime National Historic Park, including the Hyde Street Pier and Aquatic Park, is administered by the National Park Service; these facilities are roughly located at Hyde Street and the western end of Jefferson Street. The Maritime National Historic Park includes the San Francisco Maritime Museum, expansive green space with benches, trees, and walkways, and the terminus of the Powell-Hyde Cable Car line. The Hyde Street Pier Walkway exhibits historic boats, buildings, and other artifacts that are a part of Fisherman's Wharf maritime history. Aquatic Park is essentially a man-made cove enclosed by the broad curve of Municipal Pier just west of Fisherman's Wharf. Aquatic Park offers a location for swimming, canoeing, and similar types of water recreation.

Ghirardelli Square, a designated City Landmark, is located just south, across Beach Street, from the Maritime National Historic Park. Ghirardelli Square is similar to The Cannery, in the sense that it is a former industrial building containing clothing boutiques, restaurants, art galleries, and a Ghirardelli Chocolate store. The building was built in the 1890s as a chocolate factory for Ghirardelli. In the early 1960s, Ghirardelli moved its chocolate factory across the Bay to San Leandro and by the mid-1960s the building was restored and converted into its present use as a shopping complex.

In addition to Ghirardelli Square, Beach Street, between Powell and Polk Streets, is a commercial corridor that continues the visitor industry uses of Fisherman's Wharf. Hotels, such as the Sheraton, the Courtyard Marriott, and Holiday Inn, are prominent features of Beach Street. Most of these hotels also contain ground-floor souvenir shops and restaurants. There are also several parking lots and garages along Beach

Street. Exceptions to the visitor-serving commercial uses on Beach Street include the Longshoreman's Memorial Building at the southwest corner of Beach and Mason Streets and an office building at southeast corner of Beach and Hyde Streets. Joseph Conrad Square, located on a triangular lot bounded by Leavenworth, Beach, and Columbus Streets, is a small park containing benches, trees, and walkways. In addition, a small collection of low-scale (two- to three-story) residential buildings is located at the southwest corner of Hyde and Beach Streets.

Along North Point Street, one block south of Beach Street, the high concentration of commercial uses typical of Jefferson and Beach Streets begins diminishing. Hotels, restaurants, and retail stores (i.e.; North Point Center) are still the prominent uses between Mason and Leavenworth Streets. However, multi-family residential uses dominate the blocks west of Leavenworth Street and east of Mason Street. West of Leavenworth Street, the north and south sides of North Point Street contain low-scale (generally three-story) residential buildings. East of Mason Street, the south side of North Point Street is occupied by North Point Apartments—a large complex of four-story buildings containing 514 units. The Academy of Art College is located on the north side of North Point Street east of Stockton Street, across from the North Point Apartments.

Bay Street continues the transition away from the dense visitor-serving commercial uses of Fisherman's Wharf and maintains the pattern of North Point Street with residential uses generally occupying the blocks west of Columbus Avenue and east of Powell Streets and commercial uses dominating the blocks between Columbus Avenue and Powell Street. The North Beach Apartments building is an exception to this pattern as it occupies two full blocks bounded by Bay and Francisco Streets and Mason Street and Columbus Avenue. North Beach Apartments, which is an affordable-housing complex, is currently under renovation. The renovation will increase the number of units from 229 to 341 and will add ground-floor retail, including a Trader Joe's grocery store. The renovation is slated for completion in November 2004.

Public uses in the Fisherman's Wharf area include the North Point Wet Weather Treatment Facility at Bay and Kearny Streets and the San Francisco Municipal Railway (MUNI) Kirkland Bus Yard at the northeast corner of Bay and Powell Streets.

APPROVALS REQUIRED

The proposed project would require the following approvals:

- The Port must select a demolition contractor for the project.
- The Port must issue a demolition permit for the proposed demolition.
- BCDC must approve removal of the Wharf J-10 substructure, the necessary repair of the retaining wall, and stabilization of the water's edge with rip-rap.
- The RWQCB must authorize demolition/relocation of the groundwater monitoring well(s).
- The Port Commission must approve a lease amendment to permit the F. Alioto proposed reconstruction.

- The Port Commission must approve an agreement with Cal Shell to reconfigure its leasehold to occupy and use an area of the project site that extends parallel to the shoreline from the western boundary of its current leasehold to Leavenworth Street, between the retaining wall on the Bay side to the line of utility poles within Fish Alley. The area occupied by this reconfigured leasehold would be the same as under their current lease.

- The Port must issue a building permit for the proposed F. Alioto building/wharf, and the concrete platform for Cal Shell's fish processing operations.

- BCDC must approve permits for any reconstruction.

II. SUMMARY OF POTENTIAL ENVIRONMENTAL EFFECTS

EFFECTS FOUND TO BE POTENTIALLY SIGNIFICANT

The proposed project has been evaluated to determine whether it would result in significant environmental impacts. The project could have a significant effect on Cultural Resources, because it would result in the demolition of a building that has been identified as being a potential historic resource and could potentially effect submerged historic maritime resources. Historic architectural and archaeological resources will be analyzed in the EIR.

EFFECTS FOUND NOT TO BE SIGNIFICANT

All other items in the following Initial Study Environmental Evaluation Checklist have been checked "No," indicating that Planning Department staff has determined that the proposed project could not have a significant adverse effect on the environment other than for Cultural Resources. Several of the other checklist items have been checked "Discussed," indicating that the Initial Study text includes discussion about those particular issues. For all of the items checked "No" without a discussion, the conclusions regarding potential significant adverse environmental effects are based on field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Planning Department, such as the California Natural Diversity Database and maps published by the California Department of Fish and Game. For each checklist item, staff considered both the individual and cumulative impacts of the proposed project.

In evaluating the potential environmental effects of the proposed project, the Planning Department reviewed the Waterfront Land Use Plan (Waterfront Plan) EIR. The Waterfront Plan establishes land use policy for all property under the Port's jurisdiction. The project site is located within the area covered by the Waterfront Plan EIR. The Waterfront Plan EIR evaluated potential program-level environmental effects associated with implementation of the Waterfront Plan. The Waterfront Plan EIR noted that subsequent individual projects would undergo environmental review to determine whether they could generate project-specific impacts. Impacts identified in Waterfront Plan EIR and associated mitigation measures determined applicable to this project are incorporated in this Initial Study.

The following potential impacts were determined either to be insignificant or to be mitigated to a less-than-significant level through measures included in the project. These items are discussed in Section III below, and require no further environmental analysis in the EIR: land use, visual quality, transportation impacts, population, shadow on public open space, wind tunnel effects, noise, air quality, utilities/public services, biology, geology/topography, water, energy, and hazards.

III. ENVIRONMENTAL EVALUATION CHECKLIST AND DISCUSSION

A. COMPATIBILITY WITH EXISTING ZONING AND PLANS	Discussed	Not Applicable
1) Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	X	
2) Discuss any conflicts with any adopted environmental plans and goals of the City or Region, if applicable.	X	

The proposed project would be subject to review according to local plans and policies, as well as by other agencies with jurisdiction over the proposed project. This section discusses the zoning, plans and regulatory approvals that are relevant to review of the project.

PLANNING CODE (ZONING)

The San Francisco Planning Code (Planning Code), which incorporates by reference the City's Zoning Maps, governs permitted uses, densities and the configuration of buildings in San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed action conforms to the Planning Code, or an exception is granted pursuant to provisions of the Planning Code, or a reclassification of the site occurs. The project would require demolition and building permits from the Port, because it would include demolition of an existing building and wharf structure, and construction of a new fish processing facility and wharf structure.

The project site is within a 40-X Height and Bulk District. This district allows a maximum building height of 40 feet, and does not place a limit on building bulk.

The project site is within a C-2 (Community Business) Zoning District. C-2 Districts emphasize compatible retail uses with a variety of goods and services to suit the longer-term needs of customers with greater latitude given to the provision of automobile-oriented uses. They provide convenience goods and services to both outlying and closer-in, denser residential areas of the City and they can provide comparison shopping goods and services to a citywide or regional market.

The project site is also located in the Waterfront Special Use District (WSUD) No. 1, Maritime Uses and Related Accessory Uses, which contains land use provisions that overlay the C-2 District as described in Section 240.1 of the Planning Code. These provisions permit maritime and related accessory uses within WSUD No. 1 that require access to or use of the San Francisco Bay in order to function or operate in the normal course of business, including waterborne commerce, navigation, fisheries and recreation.

PLANS AND POLICIES

In addition to the San Francisco Planning Code and zoning policies, the project site is subject to the San Francisco General Plan, the Waterfront Land Use Plan, and the San Francisco Bay Plan.

SAN FRANCISCO GENERAL PLAN

The San Francisco General Plan (General Plan) contains general policies and objectives to guide land use decisions, and contains some policies that relate to physical environmental issues. Sections of the General Plan that apply to the proposed project include the Urban Design Element, Recreation and Open Space Element, and the Northeastern Waterfront Area Plan.

In the General Plan's Urban Design Element, conservation policies call for preserving notable landmarks and areas of historic, architectural or aesthetic value, and promoting the preservation of other buildings and features that provide continuity with past development. The policies stipulate that older buildings that have significant historical associations, distinctive design or characteristics exemplifying the best in past styles of development should be permanently preserved. They call for more fully developed criteria for determination of historic significance and design value, with attention both to individual buildings and to districts, and that efforts for preservation of the character of landmarks should extend to their surroundings as well. The policies state that preservation measures should not, however, be entirely bound by hard-and-fast rules and labels, because to some degree all older structures of merit are worthy of preservation and public attention; and therefore, various kinds and degrees of recognition are required.

The General Plan's Recreation and Open Space Element calls for providing continuous public open space along the shoreline unless public access clearly conflicts with maritime uses or other uses requiring a waterfront location. For Fish Alley, it proposes maintaining the existing authentic character of Fish Alley north of and parallel to Jefferson Street, which supports a viable fish processing industry. It calls for improving public access along the wharves when compatible with public safety and fishing operations. The Recreation and Open Space Element also recommends maintaining and improving view corridors from public rights of way to fish processing areas, the outer lagoon, open waters of the Bay, and back to the City. Specifically regarding the project site, the Recreation and Open Space Element states that a pedestrian promenade should not be provided along the shoreline between Hyde and Jones Streets because of the fish processing activities along the Hyde Street Pier and Fish Alley; rather the promenade should continue along the north side of Jefferson Street.

Northeastern Waterfront Area Plan

The General Plan's Northeastern Waterfront Area Plan (Area Plan) calls for encouraging the retention and expansion of the commercial fishing and related activities in Fisherman's Wharf, and for maximizing views of the water and of waterfront activity. The Area Plan calls for providing a continuous system of parks, urban plazas, water-related public recreation, shoreline pedestrian promenades, pedestrian walkways and street greenways; and for providing as much public open space and peripheral access as is feasible in areas of maritime activity without interfering with the operation of this activity. It recommends preserving the historic maritime character of the Fisherman's Wharf area, and retaining older buildings of architectural merit or historical significance to preserve the architectural and historical

character of the waterfront and ensure the compatibility of new development. The Area Plan calls for maintaining the fishing industry character in Fish Alley by preserving or increasing the level of fishing-related activities to the maximum feasible extent; for encouraging preservation and restoration of the maritime character of Fish Alley; and for providing a museum of the fishing industry and/or Wharf history in Fish Alley or elsewhere in the Wharf. Similarly, the Commerce and Industry Element includes maritime policies, one of which specifically promotes expansion of the fishing industry in the Hyde Street Harbor and Pier 45 area.

The proposed demolition and reconstruction of the fish processing building and Wharf J-10 would be consistent with some, but not all, applicable General Plan policies. The General Plan contains many policies, which may address different goals. The proposed project would remove a fish processing building that has been identified as having some historical importance (albeit one no longer suitable for fish processing, due to its condemnation and functional characteristics), and would not, therefore, be consistent with the urban design objectives and policies of the Northeastern Waterfront Plan. Impacts associated with this inconsistency will be discussed in the Cultural Resources section. However, reconstruction of the fish-processing building and a portion of the wharf would promote the goals of the Northeastern Waterfront Area Plan for retaining the fish industry in Fish Alley.

PORT OF SAN FRANCISCO WATERFRONT LAND USE PLAN

The Port's Waterfront Land Use Plan (Waterfront Plan) establishes land use policy for all property under its jurisdiction, extending from the north end of Fisherman's Wharf south to India Basin, including the Fisherman's Wharf Waterfront Subarea. The Port adopted the Waterfront Plan in June 1997, with Fish Alley Amendments adopted in October 2001. The objectives and goals of the Waterfront Plan are consistent with those of the San Francisco General Plan. This project, therefore, will not be subject to a Planning Commission review for plan consistency, but will be subject to a Port Commission review for plan consistency. The Waterfront Plan calls for restoring and expanding Fisherman's Wharf as a working fishing port; attracting revenue-generating new uses to help support fishing industry and public activities; and providing space for the existing and future needs of other maritime activities at the Wharf. It also calls for continuing to integrate public, commercial, and maritime activities to preserve and enhance the diversity of uses at the Wharf; encouraging activities that will facilitate use of the area by local residents and diminish the Wharf's image as a "tourist-only" attraction; and rationalizing and enhancing the public access and open space program at Fisherman's Wharf. The Waterfront Plan encourages improvements that would enhance the waterfront's historic character, while also creating new opportunities for San Franciscans to integrate Port activities into their daily lives. The Waterfront Plan Fisherman's Wharf Acceptable Land Use Table identifies Fishing Industry, Ship Repair, Public Access, Retail Sales only for Fish, and Community Facilities as acceptable uses for the northern portion of Fish Alley, which includes Wharf J-10.

Fish Alley Amendments

The Waterfront Plan Development Standards for Fish Alley are:

- Preserve the existing balance between fishing and commercial uses.

- Preserve the small scale maritime-industrial character of Fish Alley by retaining the older buildings to the extent possible consistent with continuing fishing industry operations, and adapting them to the needs of and use by modern fishing-related businesses. In the event a building cannot be retained, then any replacement building must be consistent with the Waterfront Design and Access Element and maritime industrial character of the area.

- In the Fish Alley Area, continue to give priority to fish processing and distribution; restaurants and bars oriented towards the fishing industry, businesses and citizens in the area; chandleries; other businesses serving the fishing industry; and support services for the proposed Hyde Street Harbor.

- Create a direct connection between the Hyde Street Harbor and Fish Alley.

- Operate and manage activities to ensure compliance with all applicable environmental and water quality laws and regulations. Coordinate compliance efforts with the Fisherman's Wharf Environmental Quality Advisory Committee (EQAC).

The Waterfront Plan's Waterfront Design and Access Element, in the Historic Resources section of its Design & Access Policies, inventories the waterfront's historic resources and presents Port-wide historic resources policies, along with policies for the most significant waterfront resources in areas including Fisherman's Wharf. It calls for nominating significant historic resources to the National Register of Historic Places; preserving and adaptively reusing significant historic resources where feasible; helping San Franciscans understand and enjoy their heritage by providing interpretive signage and informational displays about the waterfront's cultural and natural history; and requiring development of the waterfront to be compatible with historic resources. The Waterfront Plan Design and Access Element calls for recognizing the Fish Alley area as an Architectural Character District with area-specific design criteria that are (based on the Secretary of Interior's Standards for Rehabilitation) related to maintaining views as well as massing, scale (i.e., limiting the height of new development within Fish Alley to two stories), site coverage, articulation and character of new development, as well as alterations and additions.

Specific design criteria include:

- Existing views should be maintained by limiting the height of new development within Fish Alley to two stories;

- View corridors down Jones and Leavenworth Streets should be maintained by discouraging new development along these two streets within Fish Alley;

- Articulate the massing of new development and additions so that they respect the building widths, heights, and simple massing and detailing of Fish Alley's existing buildings;

- The footprint of new development and additions to existing buildings along Jefferson Street should extend the width of the lot with no side setbacks so that the continuity of the street façade wall is maintained;

- The front setbacks of new development along Jefferson Street should vary slightly in keeping with existing architectural pattern;
- The placement of infill development on the interior of the Fish Alley Study area should not encroach on the boundaries of the narrow alleyways, and should serve to enhance the delineation of the edges;
- Appreciate the scale that the typical building heights of neighboring buildings contribute to the character of the streetscape by holding new development to two stories or less;
- Opening patterns should be designed to communicate a human scale to pedestrians by articulating floor levels, or through glazing divisions;
- New development or additions should respect existing patterns and proportions of alternating openings and solidity of walls;
- Maintain the horizontal orientation of existing patterns throughout Fish Alley by aligning the horizontal elements of new development and additions with those of existing buildings;
- New development and additions should be constructed with simple, industrial materials that typify those found throughout Fish Alley;
- Varying building materials between existing buildings and additions is encouraged to visually distinguish new from old;
- New signage within the Fish Alley Study area should be kept simple and small scaled. The design of new signage should be in keeping with the historic signs of Fish Alley. Painted wood signs hung off the buildings or painted directly on the buildings are encouraged. Neon signs are not appropriate for the Fish Alley Study area;
- Site furnishings and landscaping should be kept minimal and simple, and should reflect the industrial and maritime character of the Fish Alley Study area;
- New landscaping within the Fish Alley Study area should be limited to small scaled plantings in planter boxes, and should not include street trees.

The project's consistency with these design criteria will be evaluated in the Cultural Resources analysis of the EIR and will include a discussion of the project's consistency with the Design and Access Element of the Fish Alley Area Design Criteria by Architectural Resources Group (ARG), an historic preservation firm contracted by the Port to conduct an architectural and historic resource evaluation of the Fish Alley area.

As with the General Plan, the proposed demolition of the fish processing building is consistent with some, but not all, of the above Waterfront Plan and Fish Alley Amendment policies. The Waterfront Plan policies call for the retention of historic structures if such retention is found feasible by the Port. The proposal to demolish the existing fish processing facility, which has been identified as a potential

contributing resource to a historic district, would not be consistent with some of the Waterfront Plan policies. Reconstruction of the fish processing facility and wharf would promote continued use of Fish Alley for the fishing industry.

The proposed new fish processing building would be a two-story, 40-foot–tall structure and would be approximately 20 feet taller than the existing development on Fish Alley and Jefferson Street between Hyde and Leavenworth Streets (see Figure 11). In addition to consideration of inconsistencies that raise environmental issues, potential inconsistencies with the Waterfront Plan are considered by the Port Commission independently of the environmental review process, as part of the decision to approve or disapprove a proposed project. Any potential conflict not identified in this environmental document could be considered in that context, and would not alter the physical environmental effects of the proposed project.

SAN FRANCISCO BAY PLAN

The San Francisco Bay Conservation and Development Commission's (BCDC) San Francisco Bay Plan (Bay Plan) and its San Francisco-specific amendment, the San Francisco Waterfront Special Area Plan (SAP), contain many policies for the San Francisco waterfront. The Bay Plan and SAP encourage maximum feasible public access to the Bay shoreline consistent with the proposed project and minimization of Bay fill. The SAP has policies and sets forth permitted uses on new or replacement fill along the waterfront.

The SAP (as amended) in its Geographic Specific Policies and Recommendations for Hyde Street Pier through Pier 43, states that Fish Alley, located between the Hyde Street Pier and Pier 45, is the center of commercial fishing activity in San Francisco. Permitted Uses on New or Replacement Fill include Replacement of Existing Bay-Oriented Commercial Recreation; Breakwater; Berthing and Docking Facilities for Commercial Fishing Boats; Public Access; and Maritime. The SAP calls for improving and expanding Fish Alley facilities to serve the commercial fishing fleet, and maintaining and enhancing the area as a center for commercial fishing uses. It calls for permitting improved berthing, docking, and related activities for commercial fishing boats, including necessary sanitation facilities. The SAP recommends modernizing and improving the existing wharves and seawall lots for fish processing, marine repair and supply, and Bay-oriented commercial recreation, with fish processing predominant on the Bay side of these parcels.

The proposed project would be generally consistent with the SAP's policies that call for the modernization or improvement of the existing wharves and fishing facilities.

B. ENVIRONMENTAL EFFECTS

1) **Land Use** – Could the project:	Yes	No	Discussed
(a) Disrupt or divide the physical arrangement of an established community?	____	X	X
(b) Have any substantial impact upon the existing character of the vicinity?	____	X	X

The project would neither displace any existing uses nor disrupt or divide the physical arrangement of the Fisherman's Wharf area. The approximately 24,400-square-foot project site is occupied by the existing vacant fish processing building. The project would demolish this building and replace it with a level surface, rip rap edge, and guardrail; or one or all of the following elements: a new fish processing facility, a concrete platform to replace fish handling operations, and an open deck fish receiving wharf. The proposed uses would retain uses on the site that existed before the building was condemned, would be consistent with the character of the Fisherman's Wharf area, and would not have a substantial, adverse impact on the area's land use or to divide or disrupt an established community. As shown in the discussion, there would be no significant impacts on land use, therefore, no further analysis is required in the EIR.

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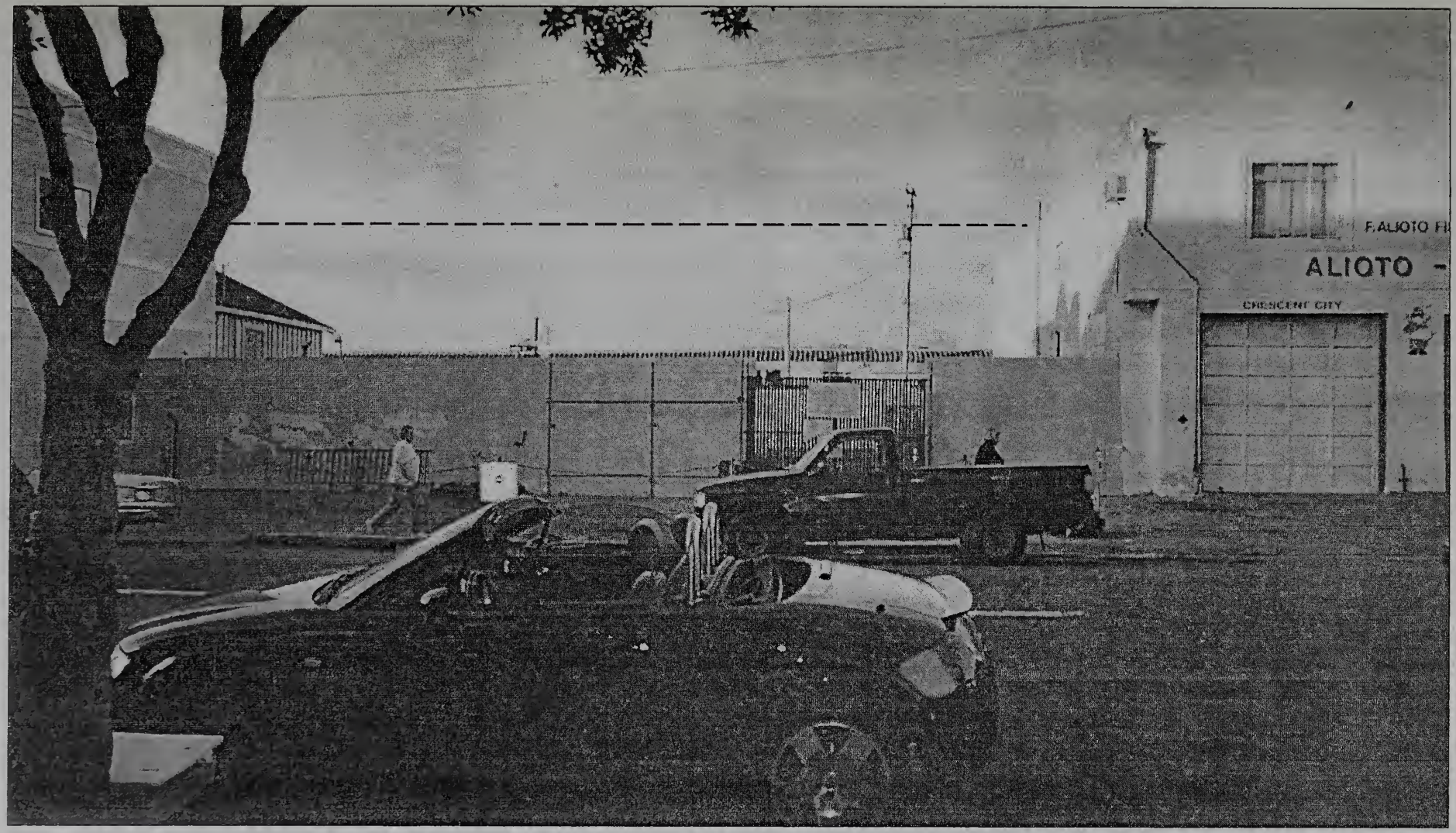
2) **Visual Quality** – Could the project:	Yes	No	Discussed
(a) Have a substantial, demonstrable negative aesthetic effect?	____	X	X
(b) Substantially degrade or obstruct any scenic view or vista now observed from public areas?	____	X	X
(c) Generate obtrusive light or glare substantially impacting other properties?	____	X	X

The aesthetic effects from the loss of the historic architectural features of the existing building and of the compatibility of the proposed new construction with the historic context of Fish Alley will be analyzed in the EIR. With respect to the proposed new fish processing building, the western portion of the project site would be reconstructed with a facility that would be approximately 40 feet tall. The proposed structure would be approximately twice as tall as the existing building and, unlike the existing building, the second story of the building would be visible from Jefferson Street. Although the building would be a two-story structure similar to the other buildings in the area, it would be 40 feet tall, exceeding the general building height profile currently existing along Fish Alley.

However, because the building would sit approximately 150 feet back from Jefferson Street, the taller height of the proposed building would not appear to be dramatically different compared to the buildings along Jefferson Street. When looking directly toward the project site only a small portion of the second story of the proposed building would be visible through an undeveloped lot on Jefferson Street (see Figure 12). The remainder of the proposed building would be blocked from view by the existing buildings along Jefferson Street. Under existing conditions, views of the roof of the existing building can



— — — — Approximate height of proposed building

SOURCE: Environmental Science Associates

Figure 12
Approximate Proposed Building Height,
Jefferson Street Between Hyde and Levenworth Street,
Looking North Toward Project Site

only be seen from the south side of Jefferson Street in front of the undeveloped lot. Oblique views of Jefferson Street in Figure 2 (p. 4), demonstrate that the project site is not visible from either end of the street. It is unlikely that the top of the proposed building would be visible above the rooflines of the buildings along Jefferson Street from these viewpoints.

Under the proposed project, views of the project site from the Bay would change from those of the existing fish processing facility to views of the backs of the buildings along Jefferson Street (see Figure 13). Views would change from the uninterrupted façade of Wharf J-10 to views of a collection of buildings with different heights and massing. Although views would change, this would not be considered a significant adverse impact on the visual quality of the area because the proposed project would not affect any existing significant vistas, nor would the proposed project have a substantial, demonstrable negative aesthetic effect, because the views would be consistent with the existing Fish Alley character. In addition, the proposed project would open up opportunities for new views of the Outer Lagoon from Fish Alley (see Figure 14). If the other project elements are implemented, views from the Bay would include views of a fish processing building similar in style to the existing building on the western half of the site, while the eastern half of the site views would include intermittent views of the backs of some of the existing buildings along Jefferson Street, including Cioppino's Restaurant, California Shellfish Co., and the Alioto-Lazio Fish Co. Building. Although the proposed F. Alioto fish processing facility would be taller than the existing structure, it would not block any existing view corridors.

Other elements of the proposed building would be consistent with the existing structure, including patterns of alternating openings and solidity of walls. The level roofline of the proposed building with a mission-tiled parapet is in keeping with the horizontal rhythms of Fish Alley, and the building materials would include wood siding that would be consistent with the style of the existing building. Although visual quality is subjective, it cannot be concluded that the proposed project would result in a substantial negative effect, or that it would substantially degrade the existing visual character of the site and its surroundings. The project would not substantially degrade any scenic vista now observed from a public area. Overall, the proposed building would not result in a substantial, demonstrable negative aesthetic effect. In addition, because the proposed building would be located behind the one- to two-story buildings along Jefferson Street, it would not obstruct any existing scenic views or view corridors.

The eastern portion of the wharf would not be fully reconstructed, nor would a new building be built there. Instead, Cal Shell would lay a concrete platform on the upland portion of the wharf for use as a staging area to support its operations on the south side of Fish Alley. Because the concrete slab that is proposed for the eastern portion of the project site would be about the same height as the existing Fish Alley, the project could result in some new close-up views of the Fisherman's Wharf Lagoon from Fish Alley. However, the site would not be readily accessible and would also be occupied by trucks and other equipment necessary for Cal Shell's operations that would intermittently obstruct views to the Fisherman's Wharf Lagoon.

The views of Wharf J-10 from public access areas at the Hyde Street Harbor would change as discussed above regarding views from the Bay. However, the reconstruction proposals all include working fishing industry uses that could continue to be observed from those existing public access areas. From public

Rear facades of existing buildings along Fish Alley that would be visible from bay after demolition of Wharf J-10

Rear facades of fishing related businesses along Jefferson Street between Jones and Leavenworth Streets

SOURCE: Environmental Science Associates

Figure 13
Future Views of Fish Alley from the Bay after Demolition of Wharf J-10

View of outer lagoon that would be available from Fish Alley after demolition

SOURCE: Environmental Science Associates

Figure 14
View of Outer Lagoon

areas such as sidewalks along Jefferson Street and other nearby locations in Fisherman's Wharf, views would remain essentially the same, due to the other existing fish processing buildings, commercial buildings, and fences along Jefferson Street that obstruct views of the project site. Only the second story of the proposed new fish processing building would be visible over a portion of the vacant lot on Jefferson Street between Hyde and Leavenworth Streets.

Implementation of the proposed project would require use of construction equipment and temporary structures and materials that could degrade existing views. However, this would be a temporary effect and would not be considered a significant view impact.

The project would comply with City Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. It is assumed that the proposed fish processing facility would not use building materials that would result in glare affecting other properties; therefore, no further analysis is required.

As shown in the discussion, there would be no significant impacts on visual resources; therefore, visual resources will not be further analyzed in the EIR.

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3) **Population** – Could the project:	Yes	No	Discussed
(a) Induce substantial growth or concentration of population?	___	X	X
(b) Displace a large number of people (involving either housing or employment)?	___	X	X
(c) Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?	___	X	X

The project site is vacant, and the proposed project would have no discernible effect on population growth or concentration in the neighborhood, city or region. Employment would temporarily increase in the area during project demolition and construction, and approximately 30 employees could work in the F. Alioto fish processing facility upon project completion.[6] This does not represent a substantial increase in employee population for the area. Thus, project-related employment does not require further analysis. In addition, because the project site was condemned and no employees have been working at the project site, no employees would be displaced by the proposed project.

The project would not include residential uses or any other features that would contribute to a change in resident population. The proposed project would not displace any existing housing units, or introduce any new housing in the area. As shown in the discussion, population effects would not be significant, and therefore, will not be analyzed further in the EIR.

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[6] Employment density estimated at 567 sq. ft. per industrial employee, based on: San Francisco Planning Department, "Transportation Impact Analysis Guidelines for Environmental Review," October 2002.

4) **Transportation/Circulation** – Could the project:	Yes	No	Discussed
(a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	___	X	X
(b) Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards?	___	X	___
(c) Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?	___	X	___
(d) Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?	___	X	___

Under the proposed project, the existing vacant Wharf J-10 building would be demolished and replaced with a level surface, guardrail, and rip rap. Demolition and construction would have intermittent temporary traffic impacts caused from truck movements to and from the project site. Truck movements during peak commute hours would have greater potential to create conflicts than during nonpeak hours because of the greater numbers of vehicles on the streets. The intensity and nature of construction activity would vary over the construction period, and the effects of added truck traffic on area roadways would likewise vary. Because truck trips during construction would be spread over the workday, the temporary impact on traffic flow would be less than significant. There also would be temporary parking impacts caused by construction workers' vehicles at the project site.

Once demolition and construction is completed, it is not expected that traffic conditions in the area would change noticeably. However, the proposed F. Alioto fish processing facility, assuming it is constructed, would bring approximately 30 new employees to the project site, and would result in additional truck activity required for fish delivery and distribution. Given the nature of the fish processing industry, operational trips generated by employees and truck deliveries would primarily occur during early morning hours when the fishing boats return and trips generated by the project would not occur after the fish processing facility closes for the day. Because the project would add no new traffic during the afternoon/evening peak traffic period (4:00 to 6:00 p.m.), and most new trips would arrive before the morning peak traffic period (7:00 to 9:00 a.m.), the operational traffic of the project would have a less-than-significant effect on transportation or circulation conditions in the Fisherman's Wharf area. The proposed Cal Shell dock area would be an adjunct to Cal Shell's existing operation across Fish Alley and would not result in a substantial increase in activity or traffic. The Port's proposed receiving wharf could add a small increase in activity and traffic (less than the F. Alioto facility), which would similarly not result in adverse peak-hour impacts.

As shown in the discussion, there would be no significant impacts on transportation or circulation, therefore transportation and circulation will not be analyzed further in the EIR. Even though the impacts on transportation would be less than significant, the following improvement measures have been included.

Transportation/Circulation Improvement Measures

Consistent with standard practice, the project sponsor(s) and the construction contractor(s) would meet with the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), which includes representatives from City departments, including Parking and Traffic, Police, Public Works, and Muni, to determine feasible traffic management measures to reduce the potential traffic congestion associated with the construction activities of this project and other nearby projects, including transit disruption and pedestrian circulation, . To minimize cumulative traffic impacts due to lane closures during construction, the project sponsor would coordinate with construction contractors for any concurrent nearby projects that are planned for construction or which later become known. A street space permit, enforced by the Bureau of Street Use and Mapping within the Department of Public Works, would be required to utilize public street space during project construction. The specific provisions of the permit would address issues of circulation, safety, parking and others, as developed in the above-cited meeting with ISCOTT. Conditions of the street space permit/agreement would be enforced by inspectors from the Department of Building Inspection.

In addition, the Port's WLUP EIR (p. 647-648) contains improvement measures to ensure that new projects proposed in areas of the waterfront under the Port's jurisdiction conform with the goals and policies of the WLUP. Transportation improvement measures from the WLUP are mostly concerned with improving pedestrian and bicycle circulation, including, but not limited to, removing sidewalk obstructions, providing adequate crosswalks, and implementing a light rail line. These improvement measures are not applicable to this project.

As mentioned above, the proposed project would not have significant impacts on transportation and circulation. Therefore, this topic will not be analyzed further in the EIR.

5) **Noise** – Could the project:	Yes	No	Discussed
(a) Increase substantially the ambient noise levels for adjoining areas?	___	X	X
(b) Violate Title 24 Noise Insulation Standards, if applicable?	___	X	___
(c) Be substantially impacted by existing noise levels?	___	X	___

Sensitive Noise Receptors

Sensitive noise receptors, i.e., pedestrians and users of outdoor recreational space, may be located outdoors at Aquatic Park to the west behind the Hyde Street Pier, which is adjacent to the project site. The closest residences are located at the corner of Hyde and Beach Streets, approximately two blocks south of the project site. Other nearby residences are located approximately three or more blocks away along North Point Street, between Leavenworth and Larkin Streets. The project area also includes numerous hotels, one of which, the Argonaut Hotel, is one block south of the project site on Jefferson and Hyde Streets, and another approximately two to three blocks southeast of the project site on Beach Street

between Leavenworth and Jones Streets, and between Jones and Taylor Streets. No schools or California-licensed child-care centers are located within three blocks of the project site. The closest child-care facilities in the area are located more than four blocks away at 940 Filbert Street, 715 Chestnut Street, and 555 Chestnut Street.[7] The proposed project would be a continuation of historical uses, would be compatible with existing uses in the area, and is not expected to discernibly increase ambient noise levels in the surrounding area.

Demolition and Construction Activity Noise

Building demolition and construction would temporarily increase noise in the site vicinity. The demolition period would last approximately one month. Construction of the fish processing facility and pier would take approximately 17 months. Noise from demolition and construction activities, especially impact tools and pile driving, could result in noise peaks that may disrupt nearby tourist-serving commercial uses, people at Aquatic Park, and nearby residences and hotels by interfering with normal speech and concentration (above exterior noise levels of 70 to 80 dBA).[8] The effect would be limited in time, depending upon the phase and duration of demolition and construction activities.

Sections 2907 and 2908 of Article 29 of the San Francisco Police Code (Police Code) regulate construction equipment and construction work. Section 2907(b) states "it shall be unlawful for any person, including the City and County of San Francisco, to operate any powered construction equipment, regardless of age or date of acquisition, if the operation of such equipment emits noise at a level in excess of 80 dBA when measured at a distance of 100 feet from such equipment, or an equivalent sound level at some other convenient distance." Exemptions to this requirement include impact tools and equipment, pavement breakers, and jackhammers. The Police Code requires that such equipment be equipped with intake/exhaust mufflers and/or acoustically attenuating shields/shrouds recommended by the manufacturers and approved by the Director of Public Works to best accomplish maximum noise attenuation.

In addition to the 80-dBA noise limit, Section 2908 prohibits any person, between the hours of 8:00 p.m. of any day and 7:00 a.m. of the following day to erect, construct, demolish, excavate for, alter, or repair any building or structure if the noise level created is in excess of the ambient noise level by 5 dBA at the nearest property line unless a special permit therefore has been applied for and granted by the Director of Public Works.

Construction-related noise levels at 50 feet range from about 76 to 85 dBA for most types of construction equipment with slightly higher levels of about 88 to 91 dBA for certain types of earthmoving and impact equipment. In addition, pile driving could generate noise levels of 90 to 105 dBA at a distance of 50 feet.

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[7] State of California, Department of Social Services, Community Care Licensing Division, Licensing Information System Directory Report, July 2004.

[8] Noise peaks generated by construction equipment could result in temporary disturbance (e.g. speech interference) to persons in nearby buildings if the noise level in the interior of the building exceeds 45 to 60 dBA. A typical building can reduce noise levels by 20 to 25 dBA with the windows closed, although the actual noise attenuation may vary depending on building construction and design. Assuming a 20 to 25 dBA reduction with the windows closed, an exterior noise level of 70 to 80 dBA at receptors would maintain an acceptable interior noise environment for normal conversation.

It should be noted that such noise levels would be sporadic rather than continuous in nature because different types of construction equipment would be used throughout the demolition process.

As the receptor moves away from the noise source, the rate of attenuation (lessening) is about six decibels (dBA) for every doubling of distance from a point source.[9] Average demolition-related noise levels would generally be maintained below 80 dBA throughout project implementation at distances of approximately 100 to 125 feet from the site. Distances of approximately 200 feet would generally maintain average noise levels below 70 dBA. In addition, the buildings separating the project site from many of the sensitive receptors in the area would also lower noise impacts from the project site. Because the Hyde Street Pier is adjacent to the property line, noise would be relatively high on portions of the pier. Because Aquatic Park, which is behind the pier, encompasses several city blocks, receptors would be expected to move to quieter locations in the park if the noise levels prove to be a nuisance. However, nearby employees and visitors at tourist-serving commercial uses to the south (along Jefferson Street and at the Cannery), and to the west and northwest (Hyde Street Pier) would be temporarily affected by demolition and construction noise.

The Port, as part of the WLUP EIR, has implemented improvement measures to reduce noise produced by individual projects that must comply with the standards set forth in the WLUP EIR, including the proposed project. Noise improvement measures listed in the WLUP EIR (p. 649) that are applicable to this project include:

- To reduce construction noise impacts, the Port should require construction contractors to limit noisy construction activities to the least noise-sensitive times of day and week if feasible (e.g., 7 am to 6 pm, Monday through Friday).

- Prior to noisy construction activity (i.e., pile driving), contractors should notify and meet with neighboring residents and business occupants to inform them of dates, hours, and duration of such activities so that these parties might plan their activities accordingly.

- Procedures with the highest noise potential should be scheduled for the times when the ambient noise levels are highest when feasible (i.e., during peak commute hours).

- For work in areas containing noise-sensitive uses, contractors should be required to employ the quietest among alternative construction equipment or to muffle/control noise from available equipment.

As an additional improvement measure for this project, the Port would require the construction contractors to use a hydraulic or vibratory pile driver, if feasible, or predrill holes to the maximum depth feasible on the bases of soil conditions. Contractors would be required to use state-of-the-art noise shielding and muffling devices around any pile driver. The Port would also require that the contractor limit any installation of piles to result in the least disturbance to neighbors.

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[9] Thus 91 dBA at 50 feet would attenuate to 85 dBA at 100 feet, 79 dBA at 200 feet, and 73 dBA at 400 feet while 85 dBA at 50 feet would attenuate to 79 dBA at 100 feet, 73 dBA at 200 feet, and 67 dBA at 400 feet.

Operational Noise and Vibration

Operational activities associated with the proposed project that would generate noise include vehicular circulation. An approximate doubling of traffic volumes in the area would be necessary to produce an increase in ambient noise levels noticeable to most people. The project would not cause a doubling in traffic volumes and therefore would not cause a noticeable increase in the ambient noise level in the project vicinity.

Based on the above, there would be no significant noise impacts; therefore, noise will not be analyzed further in the EIR.

6) **Air Quality/Climate** – Could the project:	Yes	No	Discussed
(a) Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?	___	X	X
(b) Expose sensitive receptors to substantial pollutant concentrations?	___	X	X
(c) Permeate its vicinity with objectionable odors?	___	X	___
(d) Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?	___	X	X

Construction Air Quality Emissions

Demolition, land clearing, grading, new construction, and other ground-disturbing activities for removal of the fish processing building, stabilization of the water's edge and construction of a level surface would temporarily affect local air quality for approximately one month, causing a temporary increase in particulate dust and other pollutants. If one or more of the improvements (F. Alioto, Cal Shell, Port) are implemented, construction could last for up to about 17 months. Dust emissions during demolition and grading would increase particulate concentrations near the project site. A portion of these emissions would likely result from equipment traveling over unpaved areas and such dust emissions would have the greatest nuisance potential. Fugitive dust is emitted during disturbance of soil and as a result of wind erosion over exposed earth. Dustfall can be expected at times on surfaces within 200 to 800 feet of the source.

Under high winds exceeding 12 miles per hour, localized effects including human discomfort might occur downwind from blowing dust. Dust generated from demolition and construction is composed primarily of particularly large particles that settle out of the atmosphere more rapidly with increasing distance from the source and are easily filtered by human breathing passages. In general, dust generated by demolition and construction activity would result in more of a nuisance than a health hazard in the vicinity of the project site. About one-third of the dust generated by demolition and construction activities consists of smaller size particles in the range that can be inhaled by humans (i.e., particles 10 microns or smaller in diameter, known as PM10, although those particles are generally inert). Persons with respiratory diseases

immediately downwind of the site, as well as any unprotected electronics equipment, could be sensitive to this dust.

Dust generation would be highly variable. The amount of dust generated on a given day would be dependent on types and amount of demolition and/or construction activity, and meteorological and soil conditions. The highest potential for dust generation occurs during the summer months when winds are highest on average and soil moisture is lowest. Demolition activities would generate the most dust and this would be only be for a short duration (no more than two months).

Effects of demolition and construction activities would be increased dustfall and locally elevated levels of fine particulate matter. These impacts are considered to be significant on a temporary and localized basis. Mitigation Measure 1 on page 57 would reduce temporary adverse demolition air quality impacts. Because the project would include this mitigation measure, based on the above discussion, there would be no significant construction-related impacts on air quality and no further analysis is required in the EIR.

Operational Air Quality Emissions

The Bay Area Air Quality Management District (BAAQMD) has established thresholds for projects requiring its review for potential air quality impacts. These thresholds are based on the minimum size projects, which the district considers capable of producing air quality problems due to vehicular emissions. The project would not exceed this minimum standard. Therefore, no significant air quality impacts resulting from operation of the proposed project would be generated, and no further analysis is required in the EIR.

Odors

Odors from fish-processing activities are part of the existing conditions in Fish Alley. The project would not result in a perceptible increase or change in odors on the project site or in the vicinity of the project. Therefore, no further analysis on odor impacts is required in the EIR.

Shadow

Although the proposed building would be twice as tall as the existing building on the site, the proposed building would not generate new shadows on any sun-sensitive resources in the area, such as publicly accessible open spaces. Shadows from the proposed project would fall mostly on the Fisherman's Wharf Lagoon, although, since only a portion of the building would be reconstructed, the net change in shadows on the harbor would not be substantial Therefore, no further shadow analysis in the EIR is required.

Wind

Because the proposed building and all surrounding building are of a low-rise nature (40 feet or less), the project would not cause any adverse wind effects. Therefore, the project could not result in any significant wind impacts and no further analysis is required in the EIR.

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7) **Utilities/Public Services** – Could the project:	Yes	No	Discussed
(a) Breach published national, state or local standards relating to solid waste or litter control?	___	X	___
(b) Extend a sewer trunk line with capacity to serve new development?	___	X	___
(c) Substantially increase demand for schools, recreation or other public facilities?	___	X	___
(d) Require major expansion of power, water, or communications facilities?	___	X	___

Although service to the site has been discontinued, existing utilities are in place that served the prior fish processing use. The proposed project would not substantially increase the existing demand for utilities and/or public services in the area. The project would not generate solid waste in excess of the capacity of waste disposal services, and would not substantially increase water and energy consumption. Hence, utilities and public services would not be adversely affected by the project and will not be further analyzed in the EIR.

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8) **Biology** – Could the project:	Yes	No	Discussed
(a) Substantially affect a rare or endangered species of animal or plant or the habitat of the species?	___	X	X
(b) Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	___	X	X
(c) Require removal of substantial numbers of mature, scenic trees?	___	X	X

The project site and a majority of the Fisherman's Wharf area are developed and covered with structures and other impermeable surfaces. Sea gulls are common to the area. Terrestrial birds in the area are limited to species adapted to urbanization and human presence such as English sparrows, starlings, and Brewer's blackbirds. The urbanized character and lack of suitable cover and food sources limit occurrences of terrestrial mammals to those species adapted to urban environments. These include Norway rats, house mice, meadow mice, and gophers, in addition to domestic and feral cats and dogs; none of these are rare or endangered species.

Because the project site is in a developed urban area and is almost completely covered by structures and impermeable surfaces, the proposed project would not affect any rare plants or possible animal habitats. No mature trees are located on the project site. No rare, threatened, or endangered species would be affected by the project.

The project would result in the removal of timber piles and the placement of new rip-rap rock fill on the eastern portion of the project site at the toe of the earth embankment that forms the southern edge of the

Fisherman's Wharf Lagoon and that now supports a portion of the fish processing building and Wharf J-10. This work would result in the loss of some marine habitat for some species and a gain in potential habitat for others. Habitat loss would include the removed substrate that would be buried by fill, while new habitat would be created for settlement of hard-bottom species that would attach to new rock fill (rip rap). The proposed removal of submerged pile portions of the Wharf J-10 would result in the loss of some organisms, but these organisms are common in adjacent areas and would likely recolonize the area following completion of the project. The project would result in a minor loss of benthic habitat, which would not be considered significant.

Pile removal and the placement of new rip-rap rock fill would result in short-term increases in turbidity that could reduce light availability and thus photosynthetic activity of phytoplankton.

Some avoidance of the project area by marine mammals would be likely during project construction. However, the short-term incremental increase in noise level is not expected to affect seals and sea lions or any known haul out spots in the project area.

As described further in Section 10, Water, page 44, the project would be subject to the provisions of the San Francisco Bay RWQCB's "Conditional Approval of Low Threat to Water Quality Activities, Northern Embarcadero Area" issued to the Port to protect water quality. Provisions of the Conditional Approval would include measures that also would minimize impacts on marine life, including implementation of best management practices (BMPs) to minimize the discharge of construction materials and incidental particulates from entering the Bay during construction; a prohibition on discharge of asphalt, creosote pile shavings, concrete, silt, clay, sand, sawdust, chemicals and treated materials, or other similar materials to the Bay; proper disposal of construction debris; and appropriate maintenance of construction equipment to avoid accidental spills to the Bay. It is possible that debris from the demolition of the wharf could fall into the Bay, but as discussed under the water quality section (below), provisions would be required by the San Francisco Bay RWQCB as a condition prior to the beginning of demolition or construction. These measures would include positioning a floating debris barrier and/or absorbent boom along-side areas where work is occurring and the immediate retrieval of any debris that falls into the Bay (see page 45).

Finally, consistent with Mitigation Measures H-1 and H-2 of the Waterfront Land Use Plan EIR, the Port would limit construction periods to avoid conflicts with Pacific herring spawning season and would require a bat survey prior to demolition and construction (refer to Mitigation Measures 2 and 3 on pages 57 and 60).

Biology Improvement Measures

Biological Resources Improvement Measure 2 from the WLUP EIR (p. 654) would apply to the proposed project and states that, "pier repair/replacement projects should be planned so as to leave old pilings in place whenever possible to avoid impacts to existing substrate. New pilings should be constructed of pre-stressed concrete, plastic, or steel that has not been pre-treated with anti-biofouling material, or by wooden pilings treated with materials approved by the RWQCB that would not substantially affect biological resources." This measure would, overtime, result in additional increases in fill in the Bay, but is recommended by the Corps of Engineers. Other improvement measures from the WLUP EIR that

apply to Biological Resources, but that do not apply to this project, include measures relating to dredging, floating dock space for sea lions, and wetlands. As an additional improvement measure, the Port proposes to require the demolition contractor to wrap piles prior to removal to reduce the potential for release of particles into the Bay.

As shown in the discussion, there would be no significant impacts on biological resources, therefore, biology will not be further analyzed in the EIR.

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9) **Geology/Topography** – Could the project:	Yes	No	Discussed
(a) Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction)?	___	X	X
(b) Change substantially the topography or any unique geologic or physical features of the site?	___	X	___

This section discusses the project-specific geologic and topographic impacts related to demolition of the site structures and construction of a new wharf and fish processing facility. A more programmatic evaluation of potential geologic and topographic impacts in the waterfront area is presented in the 1997 Waterfront Land Use Plan Final EIR (FEIR). Mitigation measures from the FEIR that apply to the proposed project are identified as Mitigation Measures 4 through 13 in Section III.D, pages 56 through 61 of this Initial Study. No new mitigation measures were identified as a result of this project specific review.

San Francisco General Plan Community Safety Element

The San Francisco General Plan Community Safety Element contains maps that show areas of the city subject to geologic hazards. The project site is located in an area identified to be subject to ground shaking from an earthquake along the peninsula segment of the San Andreas and northern Hayward faults (Maps 2 and 3 of the Community Safety Element), and the project is in an area of liquefaction potential (Map 4). The project is also located within a potential tsunami run-up area (Map 6). The site is not in a potential landslide hazard area (Map 5), nor is it subject to potential inundation due to reservoir failure (Map 7).

Site Geology and Topography

The project site is flat and is located within the Fisherman's Wharf Subarea of the San Francisco Waterfront. Geologic materials along the waterfront of this area generally consist of about 15 to 20 feet of artificial fill placed over Quaternary Bay Mud, which is typically underlain by Bay Side Sand and Older Bay Mud (City of San Francisco, 1997). Franciscan Bedrock is encountered at depths from 50 to over 100 feet. Limited excavation would be required for construction of the proposed project (approximately one foot); therefore the proposed project would not substantially alter the topography of the project site and will not be analyzed further in the EIR. .

Seismicity

The San Francisco Bay Area is a region of high seismic activity because of faulting within the San Andreas system. The principal faults of this system include the San Gregorio, San Andreas, Hayward-Rodgers Creek, Calaveras, Concord-Green Valley, and Greenville Faults plus the Mt. Diablo Thrust (USGS, 2003). The USGS estimates that there is a 62 percent probability of at least one magnitude 6.7 or greater earthquake occurring within the San Francisco Bay Area before 2032. While a magnitude 6.7 or greater earthquake would most likely occur on one of the seven principal faults, it could also occur on a different, known fault or a previously unidentified fault.

The nearest active faults are the San Andreas Fault, located 7 miles southwest of the site; the Hayward Fault, located 12 miles northeast; the San Gregorio Fault, located 10 miles southwest; and the Calaveras Fault, located 22 miles northeast. The San Andreas and Hayward-Rodgers Creek Faults have the highest probability of generating a 6.7 or greater magnitude earthquake before 2032.

Groundshaking and Secondary Effects

The project site would be expected to be subject to strong to violent groundshaking, corresponding to a Modified Mercalli Scale shaking intensity of VII to IX,[10] from an earthquake along one of the principal regional faults (Maps 2 and 3 of the Community Safety Element; ABAG, 2003). In addition, the project site is located in an area of liquefaction potential,[11] a secondary effect of groundshaking (California Geological Survey, 2001).

A range of effects due to ground shaking could occur in the event of an earthquake on one of the regional faults including structural damage resulting directly from the groundshaking, or from secondary effects including differential settlement, lateral spreading, and liquefaction. Such damage could place people at risk of injury and seismic ground waves, and differential settlement can fracture or sever underground utility conduits. These effects can be amplified in partially consolidated sediments, including artificial fill and loose sand deposits, such as those expected at the project site. Structures constructed on these materials are more susceptible to structural damage than those on more competent materials like bedrock or consolidated sediments.

Although some structural damage due to seismic shaking and liquefaction is typically unavoidable during an earthquake, building codes and construction ordinances have been established to protect against building collapse and major injury during a seismic event. In accordance with these requirements, prior to construction, a site-specific geotechnical investigation would be conducted and site-specific recommendations would be made for the construction of the building and wharf to protect against seismic hazards. The recommendations and final building plans would be subject to the review and approval by the Port's Engineering Division prior to issuance of a Port building permit.

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[10] The Modified Mercalli (MM) intensity scale is commonly used to measure, and to describe in lay terms, earthquake effects due to ground shaking. The MM values for intensity range from I (earthquake not felt) to XII (damage nearly total). Intensities ranging from IV to X could cause moderate to significant structural damage.

[11] Liquefaction is the failure of saturated earth materials when subjected to shaking.

In reviewing building plans, the Port Engineering Division refers to a variety of information sources to determine existing hazards and assess design and construction requirements. Sources reviewed include maps of Special Geologic Study Areas in San Francisco as well as the Engineering Division's working knowledge of areas of special geologic concern. For any development proposal in an area of liquefaction potential, the Port Engineering Division would, in its review of the building permit application, require preparation of a geotechnical report pursuant to the State Seismic Hazards Mapping Act. Therefore, potential damage to structures from geotechnical hazards on a project site would be mitigated through the Port's requirement for a geotechnical report, review of the building permit application pursuant to Port implementation of the Building Code, and implementation of the resultant recommendations.

Design and construction of the proposed facilities in accordance with applicable requirements of the San Francisco Building Code would ensure that the risk from earthquake-induced ground shaking and liquefaction is acceptable within the context of seismic risk throughout the Bay Area. This would be an improvement over existing conditions since existing structures were not built to today's seismic standards and the existing building on the project site has experienced substantial deterioration. Therefore, the project would not result in significant effects with regard to earthquake-induced ground shaking and earthquake-induced ground-shaking will not be analyzed further in the EIR.

Surface Rupture

The project site is not located in an Alquist-Priolo Earthquake Fault Zone[12] as defined by the California Geological Survey, and no active or potentially active faults exist on or in the immediate vicinity of the site.[13] Because of this, the potential for surface fault rupture is low and the impact is considered less than significant. Therefore, surface fault rupture will not be analyzed further in the EIR.

Tsunamis

The project site is located in an area of potential inundation should a 20-foot tsunami[14] reach the San Francisco coast (Map 6 of the Community Safety Element). Along Fisherman's Wharf, the height of an expected tsunami, originating from outside the Golden Gate, with a 100-year return period (i.e., expected to occur once every 100 years, on average) is 6.2 feet (City of San Francisco, 1997). Although seiches and tsunamis can occur and cause tidal surges in San Francisco Bay, the Bay greatly attenuates tsunamis that might reach the Golden Gate area and these events are extremely rare.

With demolition of the structurally inadequate building and wharf at Wharf J-10 and construction of a new wharf and building in conformance with current building requirements, construction of the proposed project would be an improvement over existing conditions with respect to geologic and seismic concerns.

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[12] Alquist-Priolo Zones designate areas most likely to experience fault rupture, although surface fault rupture is not necessarily restricted those specifically zoned areas.

[13] An active fault is defined by the State of California as a fault that has had surface displacement within Holocene time (approximately the last 10,000 years). A potentially active fault is defined as a fault that has shown evidence of surface displacement during the Quaternary (last 1.6 million years), unless direct geologic evidence demonstrates inactivity for all of the Holocene or longer. This definition does not, of course, mean that faults lacking evidence of surface displacement are necessarily inactive. Sufficiently active is also used to describe a fault if there is some evidence that Holocene displacement occurred on one or more of its segments or branches (Hart, 1997).

[14] A tsunami is a very large ocean wave that is caused by an underwater earthquake or volcanic eruption.

In light of the above, the project would not result in a significant effect related to geology and topography, and geologic and seismic concerns will not be analyzed further in the EIR. .

As shown in the above discussion, there would be no significant impacts on geology and topography; therefore, geology and topography will not be further analyzed in the EIR.

10) **Water** – Could the project:	Yes	No	Discussed
(a) Substantially degrade water quality, or contaminate a public water supply?	____	X	____
(b) Substantially degrade or deplete ground-water resources, or interfere substantially with groundwater recharge?	____	X	X
(c) Cause substantial flooding, erosion or siltation?	____	X	X

Water Features, Drainage, and Combined Sewer System

The project site is located directly adjacent to Fisherman's Wharf Lagoon, which is part of San Francisco Bay. This area is located in the Northshore Drainage Basin of the City's drainage system, and natural drainage in this area flows to the Bay. However, because the City is almost entirely served by a combined sewage system that collects and transports both sanitary sewage and storm water runoff in the same set of pipes, nearly all of the City's storm water, including storm water from the on-land portions of the project site, drains to the combined sewer system. Therefore, drainage at the project site is largely controlled through the City's combined sewer system.

During dry weather, wastewater flows in the combined sewer system consist mainly of municipal (sanitary) and industrial sewage. Sewage from the east side of the City, including the project site, is transported to and treated at the Southeast Water Pollution Control Plant, located in the Bayview district, and treated wastewater is discharged to the Bay near Pier 80. During wet weather, the volume of wastewater in the City's sewer system greatly increases due to the addition of rainfall and storm water runoff which mixes with the municipal and industrial sewage. The increased wet weather flow in excess of the treatment capacity of the Southeast Plant is conveyed to and treated at the North Point Wet Weather Facility, located at Bay and Kearny Streets, or can be detained in storage and transport boxes for later treatment. During wet weather, treated wastewater from the North Point Wet Weather Facility is discharged to the Bay near Piers 33 and 35.

When rainfall intensity results in storm water flows that exceed the total capacity of the Southeast Plant, North Point Facility, and the storage and transport structures, the excess flows are discharged to the Bay, through 29 combined sewer overflow (CSO) structures located along the City's waterfront. Discharges from the CSO structures receive the equivalent of primary treatment,[15] referred to as "flow-through"

[15] Primary treatment refers to physical treatment processes, such as screening and sedimentation, which remove large and heavy solids. Higher levels of wastewater treatment are secondary treatment, which involves oxidation of organic matter in wastewater using biological processes, and tertiary treatment, which involves chemical treatment to remove specific contaminants.

treatment. The closest CSO structures to the project site are located at Laguna Street and Beach Street, about 3,800 and 3,000 feet, respectively, from Wharf J-10.

All discharges from the combined sewer system to the Bay, including those from the Southeast Plant, North Point Facility, and the CSO structures, are operated in compliance with a National Pollutant Discharge Elimination System (NPDES) permit from the San Francisco Regional Water Quality Control Board (SFRWQCB) (SFRWQCB, 2002).

Construction Activities

Project implementation would involve the following construction activities that have a potential to affect water quality: removal of 173 creosote-treated timber piles and replacement of between 45 and 60 new piles; placement of new rip-rap rock fill along the length of the seawall at the toe of the earth embankment that supports the existing fish processing building and Wharf J-10; construction of an asphalt lip to prevent untreated drainage into the Bay; and demolition of existing structures and construction of new structures over and adjacent to the Bay. Because the proposed project would involve coverage of less water than existing conditions, and would include pier demolition and construction as well as piling removal and replacement, the project would be subject to the requirements of the "Conditional Approval of Low Threat to Water Quality Activities, Northern Embarcadero Area" (Conditional Approval) issued by the SFRWQCB to the Port of San Francisco (SFRWQCB, March 14, 2003).

Provisions of the Conditional Approval that would be implemented for the protection of Bay water quality during construction include the following measures:

- The project must minimize fill in the Bay, and be conducted in compliance with a Bay Conservation and Development Commission permit.
- Adequate best management practices (BMPs) shall be performed to minimize the discharge of construction materials and any incidental falling particulates from the pier deck, temporary access areas, equipment staging areas and other construction areas.
- The discharge, or creation of a potential for discharge, of any material including asphalt, creosote pile shavings, concrete, silt, clay, sand, sawdust, or other materials to the Bay is prohibited.
- The project proponent will work to minimize the potential for debris, chemicals or treated materials to contact Bay waters. Any debris falling into the Bay will immediately be retrieved. A floating debris barrier and/or absorbent boom shall be positioned beneath and along-side areas where work is occurring as appropriate. The Port must first obtain Board staff approval for any exceptions to the use of floating debris barrier and/or absorbent booms.
- All material and debris generated as a result of this project shall be removed from the site and properly disposed of to an appropriate upland recycling or disposal site.
- Construction equipment shall be maintained and fueled in areas where accidental spills shall not impact waters of the State.

- Spill containment and cleanup equipment shall be maintained on-site throughout the duration of the project.

In addition to these measures, the Port would ensure that construction activities are scheduled to avoid conflicts with special activities of the nearby swimming clubs, as discussed in Mitigation Measure 14 on page 65.

In the Conditional Approval, the SFRWQCB finds that through compliance with the above provisions, regulated "low threat to water quality activities" would not cause significant permanent impact to waters of the State; that temporary impacts to water quality would be minimal; and that if BMPs are implemented during and after construction, no mitigation other than implementation of the applicable conditions is required. In addition, should any new information about project activities conducted under the Conditional Approval indicate a water quality problem, the SFRWQCB could issue waste discharge requirements specifying more stringent provisions for the protection of water quality. Therefore, water quality impacts related to construction over and adjacent to the Bay are less than significant with compliance with the Conditional Approval and additional measures proposed by the project sponsor.

As part of the renovations, 173 existing creosote-treated timber piles would be replaced with new concrete pilings. Creosote is an effective wood preservative in a marine environment but also may contain organic compounds toxic to marine organisms. Although removal of creosote pilings may release some organic substances, the effect would be temporary and if the timber piles are replaced with concrete or steel piles, the result would be a long-term improvement in water quality.

Post-Construction Activities

The proposed project area is entirely paved or covered with buildings, resulting in 100 percent impervious surfaces. Currently, almost all storm water runoff from the project site flows to the City's combined sewer system. Storm water run-off from the J-10 shed roof, and a small area of pavement approximately 400 sf near the intersection of Fish Alley and Leavenworth, may flow directly to the Bay.

Demolition of the existing buildings and wharf and construction of the replacement facilities would result in a net reduction of approximately 9,521 sf of impervious surfaces in the area where the wharf would not be reconstructed. The overall reduction in impervious surfaces would be about 39 percent of the total project area, which would increase the amount of rainfall falling directly on the Bay, and would result in a net reduction in storm water runoff (see Mitigation Measures 15 and 16 on page 64). A reduction of impervious surfaces at the site and the resulting decrease in the volume of runoff into the combined sewer system would result in an improvement in water quality over existing conditions.

The proposed F. Alioto building would result in a small increase in sanitary sewage and industrial wastewater flows to the City's combined sewer system, compared to existing conditions. This may trigger the need for a pump station currently located at the intersection of Jefferson and Leavenworth Streets to be upgraded to meet the future water quality and utility standards. The necessity of the pump station upgrade cannot be determined at this time; however, if the F. Alioto building is constructed, the conditions at the pump station would be monitored and decisions regarding an upgrade would be decided based on the future condition information. Upgrade of the pump station would have no adverse effects of

its own. The discharge of that portion of water used for industrial purposes would be subject to the requirements of Article 4.1 of the San Francisco Public Works Code, which regulates the quantity and quality of industrial discharges to the combined sewer system.

In accordance with this article, the user of the new fish processing facility proposed by F. Alioto would be required to obtain a Class I discharge permit from the City and County of San Francisco to discharge the industrial wastewater to the combined sewer system. The discharge would be required to meet the permit's specified discharge limitations. In addition, the discharge of other materials that could obstruct or damage the sewer system; cause a nuisance; interfere with the operation, maintenance, or repair of the sewer system; or would directly or indirectly cause a violation of the City's federal or State sewage discharge permit would be prohibited.

In addition to requiring compliance with discharge limitations, the Class I permit would specify requirements for pretreatment of wastewater discharged to the sewer system, restrictions on peak flow discharges, restrictions on the hours of discharge, required payment of additional charges to defray the cost to the City created by the wastewater discharge, required sampling and monitoring prior to and during discharge, reporting requirements, requirements for investigations or studies to determine methods of reducing toxic constituents in the discharges, and other conditions and terms necessary to achieve the objectives of Article 4.1. The permit would be issued for a fixed time period, not to exceed five years. Reports, including a description of any violations, remedial measures taken, any process changes, are required to be submitted to the City on a quarterly basis.

The proposed F. Alioto fish processing facility is estimated to result in a water demand of approximately 2,600 gallons per day, which is assumed to be primarily for industrial usage with an incidental increase in sanitary sewage associated with 30 employees. The total volume of sanitary sewage and wastewater produced by the fish processing facility would not result in a measurable increase in flows to the City's combined sewer system or associated discharges to the Bay.

Therefore, with compliance with the City's industrial discharge permit and due to the very small increase in discharges to the City's sewer system, the proposed project would have no substantial impact on the City's combined sewer system, would not result in long term water quality impacts, and thus would be considered less than significant and will not be analyzed further in the EIR.

Storm Water Quality Impacts Related to Operation

The Industrial Activities Storm Water General Permit (Industrial General Permit) adopted by the State Water Resources Control Board in 1997 (SWRCB, 1997) applies to storm water discharges from regulated industrial facilities that drain directly to surface waters or indirectly through municipal separate storm sewers. Storm water discharges from the Port of San Francisco's maintenance facility and the Port's industrial tenants are required to comply with this permit. However, storm water discharges at the Wharf J-10 fish processing facility would not be subject to the Industrial General Permit because as stated above, storm water from the proposed new building would be captured and discharged to the City's

combined sewer system, not discharged directly to the Bay or the Port's separate storm sewer system.[16] Storm water collected in the combined sewer system receives the equivalent of primary treatment, at a minimum, prior to discharge to the Bay in accordance with the City's NPDES permit. Therefore, long-term operational impacts associated with storm water runoff would be less than significant and will not be further analyzed in the EIR.

Waterfront Land Use Plan FEIR Water Quality Improvement Measures

The project site is subject to the Port's Waterfront Land Use Plan. Accordingly, Table 1 indicates the disposition of water quality-related mitigation measures that were identified in the 1997 Waterfront Land Use Plan Final EIR (FEIR) and approved by the Port Commission with adoption of the Waterfront Plan in June 1997. No significant hydrology or water quality impacts (beyond the unavoidable significant impacts related to regional dredge disposal, which does not apply to the Wharf J-10 project, were identified in the FEIR and no mitigation measures were identified. However, the FEIR did specify improvement measures that could reduce hydrology or water quality impacts that may be of concern. The FEIR improvement measures were reviewed in relation to the proposed project and all measures have either been incorporated into the proposed project or would not apply to the proposed project as summarized in Table 1 on page 49. In addition to the WLUP improvement measures, the Port, as an additional improvement measure, would require the contractor to wrap cloths around the piles prior to removal thereby reducing the potential for release of particles into the Bay.

As shown in this discussion, there would be no significant impact on water; therefore, water will not be further analyzed in the EIR.

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11) **Energy/Natural Resources** – Could the project:	Yes	No	Discussed
(a) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	____	X	X
(b) Have a substantial effect on the potential use, extraction, or depletion of a natural resource?	____	X	____

Project construction would require consumption of energy in an amount that would be typical for the demolition and construction of a project of this nature. Upon project implementation, energy consumption would be similar to the amount previously consumed at the site. The proposed project would consume energy in the form of electricity, but would not generate a substantial increase in demand upon existing sources of energy, or require the development of new sources of energy.

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[16] Nearly all of San Francisco, including the project site, is served by a combined sewer system that captures both municipal sewage and stormwater runoff in the same set of pipes. While not applicable to the proposed project, there are a few isolated areas within the Port of San Francisco's jurisdiction that have a separate stormwater collection system and are regulated separately from the City's combined sewer system.

TABLE 1
SUMMARY OF WATERFRONT LAND USE PLAN FEIR WATER QUALITY IMPROVEMENT MEASURES AND APPLICABILITY TO PROPOSED PROJECT

Improvement Measure No.	Summary of Measure	Applicability to Proposed Project
1	Require connection to the combined sewer system or treatment of storm water discharges not served by the City's combined sewer system.	Incorporated as part of the proposed project, since it includes discharge of all wastewater and untreated stormwater to the City's combined sewer system. Stormwater discharge to the Bay would be treated to meet applicable water quality regulations.
2	Encourage participation of industrial facilities in the Port's Group Monitoring Program	Not applicable because the proposed project includes discharge of storm water to the City's combined sewer system.
3	Locate projects with wastewater disposal needs where appropriate sewer connections and laterals are available and meet current City building codes.	Incorporated as part of the proposed project. The Port has confirmed that the proposed project is located in an area where there are appropriate sewer connections.
4	Require water quality monitoring for projects that include construction or demolition of facilities on or adjacent to the Bay.	Subsequent to publication of the FEIR, the RWQCB has classified the demolition and construction activities that would be conducted as part of the proposed project as "low threat to water quality activities" and issued its Conditional Approval specifying measures to be taken for the protection of water quality. These conditions supercede the requirement for water quality monitoring and have been incorporated into the project.
5	Use erosion control measures during earth moving activities to minimize wind-borne or water-borne sedimentation to surface waters.	Subsequent to publication of the FEIR, the RWQCB has classified the demolition and construction activities that would be conducted as part of the proposed project as "low threat to water quality activities" and issued its Conditional Approval specifying measures to be taken for the protection of water quality. These conditions incorporate erosion control measures.
6	The Port should work with the City and other agencies to obtain and assure funding for annual updating of the San Francisco Oil Spill Prevention and Response Plan.	Does not apply because the project would not contribute to the potential for oil spills in the Bay.

Energy Improvement Measures

Energy improvement measures listed in the WLUP EIR (p.663-665) that are applicable to this project include:

- Operational energy consumption could be reduced by a variety of design measures. Many of these measures have been documented by the San Francisco Public Utilities Commission, Bureau of Energy Conservation for land use projects. Possible energy-efficient design measures include:
  - Energy-efficient equipment and appliances. Use of energy-efficient heating and cooling equipment and electric appliances could reduce operational energy consumption. The use of natural gas-fired space and water heating equipment, and energy-efficient electric appliances should be encouraged.
  - Reduced lighting. Appropriate reductions in building lighting can conserve energy consumed by the lighting equipment itself, and additional air conditioning required to remove waste heat generated by the lights, while maintaining adequate light levels. Reduced-lighting strategies include targeting light levels to specific tasks, use of more efficient lighting equipment, automatic lighting controls, and daylighting.
  - Natural cooling. Cooling loads could be reduced by taking advantage of San Francisco's year-round cool climate. Non-residential buildings could use outside-air economizers (which use cool outside air rather than energy consuming refrigeration equipment for air conditioning).
  - Optimized glazing. Optimized glazing is the most energy-efficient combination of glass characteristics in a building. Factors that affect energy consumption include the amount (percentage) of glass, the daylight penetration, and the shading coefficient. Optimized glazing would be most appropriate for non-residential buildings.
- Recycling of materials and conservation of water that would have energy benefits in addition to decreasing the consumption of other natural resources.

Other energy improvement measures listed in the WLUP EIR are not applicable to this project

As shown in the discussion, there would be no significant impacts on energy and natural resources, therefore, energy and natural resources will not be further analyzed in the EIR.

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12) **Hazards** – Could the project:	Yes	No	Discussed
(a) Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected?	___	X	X
(b) Interfere with emergency response plans or emergency evacuation plans?	___	X	X
(c) Create a potentially substantial fire hazard?	___	X	___

Soil and Groundwater Quality

The proposed project site is located in an area that was originally part of the shallow margins of the Bay. Beginning in the 1850s, the area was gradually filled. The fill materials historically used in San Francisco commonly include materials excavated from nearby hills as well as human-made debris that could include contaminants. In addition, rubble from destroyed buildings, including hazardous materials that were used in the buildings, was commonly incorporated into the fill and built upon during reconstruction after the 1906 Fire and Earthquake. The post-earthquake fill commonly contains lead, polynuclear aromatic hydrocarbons (PNAs), heavy metals, oil and grease and volatile organic compounds (VOCs).

Based on the Hazards analyses conducted for the Waterfront Land Use Plan Final EIR (City of San Francisco, 1997) and adjacent Hyde Street Fishing Harbor Final EIR (City of San Francisco, 1996), the proposed project site is also located in an area with historic industrial land uses that involved the use of hazardous materials as well as many environmental cases where soil and/or groundwater contamination have been identified. Within the immediate vicinity of the project site, there have historically been numerous underground and aboveground petroleum storage tank systems, resulting in petroleum in soil and groundwater in the area and beneath the project site. Notably, the former Exxon/Mobil Oil Bulk Terminal was located adjacent to the project site, to the south, at 440 Jefferson Street, and soil and groundwater at the former terminal are known to contain petroleum; free product[17] was observed on the groundwater in some of the site monitoring wells. In 1990, several hundred gallons of petroleum were released to unpaved soil within the bermed tank yard at the Exxon/Mobil terminal. Contaminated soil within the bermed area was removed from the ground surface to the surface of the groundwater table; however, contamination remained in the groundwater and in soil outside the excavated area.

Soil and groundwater quality within the project site have been evaluated as part of two previous investigations to identify the extent of petroleum in the soil or groundwater originating from the former Mobil Oil site. Since 1990, under the regulatory oversight of the Department of Public Health or RWQCB, Exxon/Mobil has been required to investigate and remediate subsurface petroleum contamination, including installation of monitoring and extraction wells, removal of contaminated soil, removal of free product from groundwater wells, and monitoring and reporting petroleum concentrations in groundwater. Numerous groundwater monitoring wells, including one located on the project site, have been monitored quarterly since 1992. Groundwater from one well located within the project site contains

[17] Free product is petroleum fuel, such as gasoline or diesel, that is not dissolved in the groundwater but floats on the groundwater surface or sinks through the groundwater.

total petroleum hydrocarbons as gasoline (TPHg), total petroleum hydrocarbons as diesel (TPHd), and benzene (at concentrations ranging from undetectable (<0.30 micrograms per liter) to 35 micrograms per liter).

In compliance with a RWQCB request for technical report, Exxon/Mobil proposed additional investigation to characterize the extent of contamination and collect data needed to evaluate the feasibility of various remedial actions. Exxon/Mobile currently is analyzing the feasibility of various approaches to remediate soil and groundwater contamination in compliance with the RWQCB request. The RWQCB has approved a compliance schedule under which Exxon/Mobil will submit an "Environmental Risk Assessment" and a "Feasibility Study" by July 30, 2004, and a "Remedial Action Plan" detailing how Exxon/Mobil will implement the preferred remedial alternative by October 29, 2004. The RWQCB is responsible for ensuring that Exxon/Mobil's feasibility study adequately evaluates all appropriate remediation methods and sets clean-up goals that protect human health and the environment. The RWQCB is additionally responsible for ensuring that Exxon/Mobil executes its Remedial Action Plan in a timely and effective manner, without adverse environmental impact, and achieves applicable cleanup goals. While the proposed Wharf J-10 demolition might influence the logistics of executing remediation, it does not substantively impact the feasibility study or remedial action planning.

Because petroleum contamination beneath the project site is present at the groundwater table, approximately five to seven feet below ground surface, and the proposed demolition would not disturb soil below approximately two feet below ground surface (although the precise depth for excavation for foundation requirements has not yet been determined), demolition is not anticipated to pose a risk of impact or exposure to subsurface contamination. The monitoring well located within the project site would be properly abandoned, in accordance with state well construction standards, and would be replaced if required by the RWQCB. If subsequent construction requires excavation to the water table where contaminated soil and groundwater are anticipated (approximately five feet below grade in the area of excavation), the Port would notify the City and County of San Francisco Department of Public Health and the RWQCB. In addition, construction specifications would be required to address soil and groundwater management and worker health and safety precautions appropriate to site conditions, as required by the RWQCB.

If the excavation were to exceed 50 cubic yards of soil, the project would have to comply with the requirements of Article 22A of the San Francisco Health Code (also known as the "Maher Ordinance"), regulating site investigation and hazardous waste handling requirements. However, the proposed demolition is not expected to be subject to the requirements of the Maher Ordinance because that work would involve less than 50 cubic yards of soil. Therefore, the requirements to prepare a site history, conduct a soils investigation, and develop a site mitigation plan would not apply. Since excavation for the proposed project would be limited to a depth of approximately two feet, groundwater would not be expected to be encountered during construction. The soil excavation requirements for the proposed construction of the F. Alioto facility are currently unknown. If that excavation exceeds 50 cubic yards, the requirements of Article 22 would apply, and would have to be completed prior to the start of that work.

Based on known historic land uses and identified cases of soil and groundwater contamination in the vicinity of the proposed project, it is possible that the limited soil that would be excavated for the demolition could contain hazardous materials that could pose health and safety risks to the construction workers and public. It is also possible that the excavated soil could require special disposal requirements. In the event that less than 50 cubic yards of soil would be excavated, and Article 22A would not apply, Mitigation Measure 17, requiring preparation of a site health and safety plan, and Mitigation Measure 18, requiring stockpiling, analysis, and proper disposal of all excavated soil, would be implemented to reduce these potential impacts to less than significant. (These measures are included on pg. 64 and 65 of this Initial Study.) Potential exposure to hazardous materials in the soil and groundwater after construction of the proposed project would not be of concern because the project would include 100 percent impervious surfaces, and future site occupants and visitors would not contact the soil or groundwater.

In the event that construction of the proposed wharf and fish processing facility does require excavation of greater than 50 cubic yards of soil, Article 22A would apply to the proposed project. The regulations would take effect at the time of the building permit application and impose the following major requirements:

- Preparation of a site history report to describe past site uses and identify whether the site is listed as a hazardous waste site pursuant to state or federal regulations;
- Implementation of a soil investigation to evaluate the potential presence of hazardous wastes in the soil;
- Preparation of a soil analysis report that evaluates the results of chemical analysis of the soil samples;
- Preparation of a site mitigation report, if contamination is identified, assessing potential environmental and health and safety risks and recommending measures to mitigate the risks;
- Preparation of a certification report stating that either (1) no hazardous wastes present in the soil present an unacceptable risk and that no mitigation measures are required; or (2) all mitigation measures recommended in the site mitigation report have been completed and that completion of the mitigation measures has been verified through follow-up soil sampling and analysis, if required.

The site history report and the soil analysis report must be prepared by knowledgeable, certified professionals and provide information on historic and current hazardous waste contamination at the property to be developed. The site history report would be submitted to the San Francisco Department of Public Health. The soil analysis report would be submitted to the San Francisco Department of Public Health, and the California Regional Water Quality Control Board, San Francisco Bay Region. If the soil sampling and analysis report, or the site history report, indicate that the site proposed for development is listed on the National Priorities List or the list of California Hazardous Substances Account Act release sites, the applicant must certify that any site mitigation required by a federal or state agency has been completed.

Article 22A protects the health and safety of the City's workers, residents, and occupants from risks associated with hazardous wastes in the soil by requiring a site assessment and mitigation of any risks identified as a condition for construction of a planned project. If dewatering were required for construction activities, the pumped groundwater would be discharged to the sewer system in compliance with Article 4.1 of the San Francisco Public Works Code, described in the Water Quality section. Compliance with the requirements of Article 22A, if construction of the project includes the disturbance of more than 50 cubic yards of soil, and Article 4.1, if dewatering is required, would reduce impacts related to exposure to hazardous materials in the soil and groundwater to a less-than-significant level.

Hazardous Building Materials

Some building materials commonly used in older buildings, such as those that would be demolished as part of the proposed project, could present a public health risk if disturbed during an accident or improperly handled during demolition. These potentially hazardous building materials include asbestos-containing materials, electrical equipment such as transformers and fluorescent light ballasts that contain polychlorinated biphenyls (PCBs), fluorescent lights containing mercury vapors, and lead-based paints. Sampling performed at the site in 2000 and 2003 (North Tower Environmental, 2003) demonstrated that some of the materials used in the building, including flooring materials, ceiling and wall materials, window sealants, insulation, roofing tars and mastics, and various adhesives contained asbestos and that paint chips from the buildings were lead-based. These materials were abated and properly disposed of in April 2003 in preparation for demolition of the wharf (North Tower Environmental, 2003). Therefore, because hazardous building materials at the project site have already been properly abated, potential impacts related to hazardous building materials would be less than significant and require no further analysis in the EIR.

Creosote-Treated Piles

Wood piles that are used to support the existing wharf and buildings have been treated with creosote, which is an effective marine wood preservative, but may contain organic compounds toxic to marine organisms. Under California law (Health and Safety Code §25143), the pilings would not be considered a hazardous waste, unless otherwise classified by federal regulations, and can be disposed of at an appropriately permitted composite-lined waste disposal facility. Therefore, no hazards impacts related to disposal of creosote treated pilings are anticipated.

Hazardous Materials Use During Operation

Operation of a new fish processing facility could involve the use of standard chemicals, including solvents, cleaning products, oils, and the like, as well as refrigerants and other commercial-industrial chemicals. Because of the relatively small size of the proposed fish processing operation, and because the use of more hazardous chemical products is well regulated, the use of hazardous materials as part of project operation would be at minimal quantities and would not be expected to cause an adverse impact to public health. If significant quantities of hazardous materials are used and/or stored at the facility (755 gallons or 250 cubic yards, or 500 pounds), the facility operator is required to register with the Department of Public Health Hazardous Materials Unified Program Agency (DPH HMUPA), and

develop and implement an emergency response plan, training plan, and hazardous waste reduction plan in compliance with DPH HMUPA requirements.

Fire Hazards; Emergency Response or Evacuation Plans

The project would result in a small increase in activity and on-site employment at the project site, compared to existing conditions. However, the project would include replacement of an aging structure with a new pier and building constructed in accordance with current building and fire codes. Therefore, the project would not result in a significant fire hazard, nor would it interfere with emergency response or evacuation plans.

Waterfront Land Use Plan EIR

The project site is subject to the Port's Waterfront Land Use Plan. No significant hazards impacts were identified in the 1997 Waterfront Land Use Plan EIR and no mitigation measures were identified related to hazards. However, the EIR did specify one improvement measure requiring abatement of hazardous building materials prior to demolition of a building. This measure has already been carried out as discussed above in the Hazardous Materials section of this Initial Study.

As shown in the discussion, there would be no significant impacts on hazards; therefore, hazards will not be analyzed further in the EIR.

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13) **Cultural Resources** – Could the project:	Yes	No	Discussed
(a) Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific Study?	X		X
(b) Conflict with established recreational, educational, religious or scientific uses of the area?		X	X
(c) Conflict with the preservation of buildings subject to the provisions of Article 10 or Article 11 of the City Planning Code?		X	

Archaeological Resources

The project site is sensitive for submerged prehistoric and historic archaeological resources that are potentially eligible for the California Register of Historical Resources (CRHR). Early prehistoric resources may lie within San Francisco Bay submerged by sediment deposition and the rise in sea-level since the last period of glaciation. In addition, there is a possibility that three Gold Rush period shipwrecks may be located within the project site: the *Tonquin* (sunk in 1849); the *Carlota* (sunk in 1850), and the *Samoset* (sunk in 1852). Submerged remains of any of the three shipwrecks may be eligible for listing in CRHR under Criterion A (association with a locally, regionally, and nationally

significant historical event, the California Gold Rush); Criterion C (significance to Naval Architecture for information regarding wood ship construction in the period prior to the trade practice of developing pre-construction plans); and under Criterion D (significant maritime historical/archaeological research value) as a contributor to the National Register-listed California Gold Rush Shipwrecks Thematic Group.

Pile driving activities related to the proposed retrofitting of the wharf or any excavation, pile driving or dredging required for construction of the new superstructure could adversely affect submerged legally-significant archaeological resources (historical maritime remains, early prehistoric deposits). This topic will be addressed in the EIR.

Historic Architectural Resources

As noted previously, the Fish Alley Study Area Historic Resources Evaluation and Design Recommendations concluded that the fish processing building on the project site, along with two other buildings in the area, were determined potentially eligible for the California Register of Historic Places as contributory buildings to a potential historic district. The existing Wharf J-10 building would be demolished as part of the project. This topic will be addressed in the EIR.

D. MITIGATION MEASURES

	Yes	No	N/A	Discussed
1) Could the project have significant effects if mitigation measures are not included in the project?	X			X
2) Are all mitigation measures necessary to eliminate significant effects included in the project?	X			X

Subsequent to initial approval on January 9, 1997, of the Port of San Francisco's 1997 Waterfront Land Use Plan FEIR (including the mitigation measures contained therein), the Port Commission adopted Resolution 97-50 on June 24, 1997, approving the Waterfront Land Use Plan. The adopted resolution included an amended set of the mitigation measures identified in the FEIR. Some of these measures are included here, but have been modified to address more specifically the adverse or potentially adverse environmental impacts associated with the project analyzed in this Initial Study. Additional measures are referenced in this section because they are directly applicable to the project analyzed in this Initial Study. Finally, some of the measures that the Port Commission adopted in connection with the Waterfront Land Use Plan are not applicable to this project, and therefore, are not included in this Initial Study. The Port has agreed to implement all the mitigation measures listed below to eliminate the potentially significant effects of the proposed project that are related to topics determined in Section III of this Initial Study to require no further analysis.

CONSTRUCTION AIR QUALITY

Mitigation Measure 1 – Demolition/Construction Activity Air Quality Impacts[18]

The project sponsor shall require contractor(s) to spray the sites with water during demolition, excavation, and construction activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other material; cover trucks hauling debris, soils, sand, or other such material; and sweep surrounding streets during demolition, excavation, and construction at least once per day to reduce particulate emissions.

Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor shall require that the contractor(s) obtain reclaimed water from the Clean Water Program for this purpose. The project sponsor shall require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, -by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

BIOLOGY

Mitigation Measure 2 – Pier Replacement

To the extent feasible, the Port shall limit pier replacement to between March 1 and November 30 to eliminate any potentially significant impacts of pile driving or pier replacement on the Pacific herring fishery. In the event that pier replacement operations must conflict with the herring season, the Port shall consult with the permitting agencies, including but not necessarily limited to the U.S. Army Corps of Engineers, the California Department of Fish and Game, Bay Conservation and Development Commission, State Lands Commission, and Regional Water Quality Control Board. The Port shall comply with specific monitoring requirements established by these and other agencies to avoid impacts on the herring fishery. (Revised from the 1997 WLUP FEIR Measure H-1).

Mitigation Measure 3 – Demolition/Construction Activity

Prior to demolition or renovation of any abandoned building between August 15 and October 15, or between February 1 and May 1, a survey(s) shall be conducted during the same period by a qualified bat biologist.

If Townsend's western big-eared bat, a California Species of Special Concern, is found during an August – October survey, appropriate exclusion devices approved by California Department of Fish and Game (CDFG) and the United States Fish and Wildlife Survey (USFWS) shall be installed by a qualified bat biologist. Once the bats have been excluded, demolition may occur. If Townsend's western big-eared bats are found during a February – May survey, demolition shall not take place until the end of the nursing season in August. Exclusion devices shall be placed by a qualified bat biologist in accordance with CDFG and USFWS. (1997 WLUP FEIR Measure H-2). If no Townsend's western big-eared bats are found during the survey(s), no additional mitigation is required.

[18] This mitigation measure is comparable to Mitigation Measure F-1 from the WLUP EIR (p. 649).

GEOLOGY

Mitigation Measure 4 – Geotechnical Investigation/Demolition

A geotechnical investigation shall be conducted under the direction of a Geotechnical Engineer prior to permitting any new construction or reuse of an existing structure for new uses that could increase the load of the structure. The investigation shall be performed to evaluate subsurface conditions and existing foundation conditions at the site. The geotechnical investigation shall evaluate the potential hazards such as settlement, ground shaking, ground rupture, liquefaction, subsidence, slope stability, and lateral spreading. Recommendations shall be made regarding the design of new foundations, upgrading of existing foundations, seismic design, and mitigation of geologic hazards. (1997 WLUP FEIR Measure I-1)

Mitigation Measure 5 – Pier Replacement

Piles that are in poor condition shall be repaired or demolished and removed. If repaired, piles that are deteriorated shall be replaced or the portion that is rotted or deteriorated shall be cut off and replaced with a concrete-filled steel sleeve. A structural engineer shall be consulted regarding the repair of the piers. (1997 WLUP FEIR Measure I-10b)

Mitigation Measure 6 – Pile Driving Plan

Prior to any vibration producing pile driving, the applicant shall submit and the Port shall review a pile driving plan and an analysis of potential impact to adjacent properties to determine whether the potential exists to damage off-site property.

As a standard practice, the Port shall require an application package that will indicate the amount of pile driving and the period over which pile driving may be required. The package shall include a survey of adjacent structures with information concerning their age, foundation type, construction type, status as a historic landmark or structure of special significance, and record of any existing damage. The package shall also identify adjacent City streets and the location of buried infrastructure. In addition, the application shall indicate any specific mitigation measures incorporated into the project to minimize hazards to structures. (Revised from the WLUP 1997 FEIR Measure I-3a and I-4)

Mitigation Measure 7 – Potential Damage from Pile Driving

To minimize pile driving hazards, the construction project shall provide supports to adjacent structures, including foundation support if needed. (Revised from 1997 WLUP FEIR Measure I-3b and I-4)

The applicant for the construction project shall post a surety bond to cover the costs of potential damage to off-site property from construction involving vibration inducing pile driving. (The bond is included as a mitigation measure because of the uncertainty that other mitigation measures shall protect off-site property from damage. If needed, the bond shall be used to repair off-site damage and thus mitigate that impact.) The amount of the bond shall be determined by the Port. (Revised from the 1997 WLUP FEIR Measure I-3c and I-4)

Mitigation Measure 8 – Pile Driving Notification

Prior to any construction that would require pile driving, the Port shall notify all property owners within 300 feet of the proposed construction activity at least three months prior to the date of initiating demolition or excavation, whichever is the first activity to occur. The Port shall provide

an opportunity for all property owners to comment on the construction activity and allow them the opportunity to have their property photo-documented for its pre-construction condition. The Port is responsible for inspection of construction activities and should note any observations of proven or suspected subsidence damage on the site and at adjacent sites. This measure would allow adjacent property owners to document the condition of their property prior to initiation of an activity that could result in damage. If damage does occur, the measure would help to identify the extent of the damage caused by construction. (Revised from the 1997 WLUP FEIR Measure I-3d and I-4)

Mitigation Measure 9 – Earthquake Hazards

To minimize hazards to the future building occupants from non-structural damage, the Port shall require that building occupants carry out the following measures at a minimum: heavy objects should be attached to secure walls and floors, and light, loose objects should be placed to minimize their potential to move or overturn; large storage containers should not be loosely stacked, and those stored on shelves should have appropriate restraints or other means to prevent them from tipping or sliding off the shelves.

Heavy objects like freezers, boilers, chillers, laboratory equipment, battery racks and electrical transformers, heavy storage cabinets, tanks, safes, oversize file cabinets, etc., shall be firmly secured to floors and walls to prevent their falling or sliding. All equipment using natural gas shall be anchored. Care shall be taken to avoid placement of such objects where they could topple or move and block exit doors. (Revised from 1997 the WLUP FEIR Measure I-7b)

Non-structural interior elements (ceilings, partitions, light fixtures, HVAC, pipes, etc.) shall be designed to withstand strong ground shaking and remain intact. This shall be accomplished, for example, by selecting lightweight materials and firmly securing them to structural elements of the building and by using flexible connections for pipes. (1997 WLUP FEIR Measure I-7d)

The Port shall require the use of flexible utility connections and fasten water heaters to walls. Require the installation of automatic shut-off valves in all natural gas pipelines and provide similar emergency shut-off valves for other gas (oxygen and nitrogen) systems. Do not install automatic shut-off valves for water supplies. Require the posting of room/building layout diagrams that indicate the location of shut-off valves for natural gas. (1997 WLUP FEIR Measure I-7e)

The Port shall require fire extinguishers in all rooms and hallways and adjacent to all exit doors (including stairwell exits). Require that cabinets are not placed where they could overturn and block access to fire extinguishers. Require the training of all staff of offices, hotels, industrial facilities, restaurants and entertainment complexes in the use of fire extinguishers. (1997 WLUP FEIR Measure I-7f)

Implementation of this measure would reduce the hazards of an earthquake to an acceptable level of risk, within the requirements of the City of San Francisco. Earthquake hazards could not be entirely eliminated, and the proposed project would therefore result in significant effects related to earthquake hazards that could not be fully mitigated, by exposing increased numbers of persons to substantial danger in an earthquake.

Mitigation Measure 10 – Hazardous Materials Related to Earthquake Hazards

The Port shall take feasible steps to minimize potential earthquake safety risks related to hazardous materials in its operations and that of its tenants.

Specific steps may include appropriate seismic safety provisions, such as prohibiting the storage of hazardous materials in containers above head level (about five feet); anchoring hazardous materials shelves and heavy equipment to walls and floors; constructing heavy doors that are designed to remain shut during earthquake vibrations; providing hand-operable closures for vents and air ducts; and other provisions as discussed in the Association of Bay Area Governments' Hazardous Material Problems in Earthquakes: A Guide to Their Cause and Mitigation. Other measures shall be implemented as recommended by the San Francisco Fire Department and/or Health Department. Additionally, The Port shall prepare an Emergency Procedures Manual and periodically revise it to be consistent with changes in the facilities and operations. (1997 WLUP FEIR Measure I-8a)

The Port shall require the tenant to design all facilities for storage of hazardous chemicals in containers, such as cabinets, shelves, and drawers, to minimize potential hazards in an earthquake. The Port would require tenants to report on compliance and should conduct inspections for compliance (or contract with the Fire Department and/or Health Department to carry out inspections).

Storage facilities would include safety lips to contain spills and to reduce the likelihood of contents falling. All shelves and cabinets should be secured to a wall or ceiling. All cabinets and drawers should be provided with positive latches that would not open during earthquake motions and vibrations. Compressed gas cylinders, including empty ones, should be secured to fixed features. Gas cylinders should be secured at two locations along their vertical axis, one in the top one-third of the cylinder and another in the bottom third of the cylinder.

The Port would require storage of hazardous chemicals in approved containers and separation of incompatible chemicals in separate storage areas. If chemical storage is vented by an electric fan, an alternative (emergency) means of ventilation would be provided, which may be a mechanical (non-powered) vent. (Revised from the 1997 WLUP FEIR Measure I-8b)

Mitigation Measure 11 – Tsunamis

At the time of anticipated tsunami incursion, the San Francisco Police Department shall close off the immediate waterfront area of Aquatic Park, Fisherman's Wharf and the Hyde Street Pier to the public; all marina operators should close off access to the docks for the public and boat owners; and ferry boat operators should prevent people from standing on water-level ferry loading docks everywhere in the Project Area.

This mitigation measure would help to reduce the potential for casualties to occur from tsunami by keeping people away from areas where injury could occur. Damage to facilities would not be mitigated. (1997 WLUP FEIR Measure I-11a)

Mitigation Measure 12 – Facility Design

The Port and/or project occupants shall employ an engineer qualified in earthquake engineering to incorporate into the final design of individual facilities included in the project all economically feasible engineering methods to reduce the potential for loss of life-line services. This may include methods to improve unstable ground conditions, to strengthen infrastructure to be more resistant to earthquake induced ground movements, and to organize and prepare for earthquake response.

While specialized techniques for ground improvement to reduce liquefaction hazards likely are not practical or economically feasible over large areas, ground improvements within selected strategic sites may result in substantial hazard reduction to utility systems. In such areas a variety of ground

stabilization techniques may be considered, such as compaction grouting, placement of stone columns, and deep soil mixing. (Revised from the 1997 WLUP FEIR Measure I-9a)

The project design shall incorporate flexible connections for utility lines and provide back-up supplies of water, power generators, and battery-operated telecommunications equipment. (Revised from the 1997 WLUP FEIR Measure I-9b)

Mitigation Measure 13 – Facility Inspection

Following construction of the proposed project, an inspection schedule shall be developed and followed for regular inspection and evaluation of the condition of the piers. In conjunction with the inspection schedule, a maintenance and repair schedule shall be developed and implemented. (Revised from the 1997 WLUP FEIR Measure I-10a)

Some measures specified in the FEIR do not apply to the project analyzed in this Initial Study and are not included above. The measures not included are:

- I-2 specifying requirements for open sub-grade structures and pits because there would be no sub-grade structures or pits created as a result of this project.
- I-5 specifying requirements for dredging projects because dredging would not be required for the proposed project.
- I-6 requiring that areas not immediately redeveloped be secured against life safety hazard and the potential to damage adjacent properties.
- I-7a regarding new high-occupancy and mid-rise structures (i.e. on the order of 6 to 15 stories) because the project would not include a high-occupancy or mid-rise structure.
- I-7c requiring emergency response supply and equipment storage for high occupancy buildings because the proposed project would not include a high occupancy building.
- I-7g requiring the Port to prepare an emergency preparedness and response plan and to require facilities with over 100 visitors or employees to prepare their own plan because the required Port plan has been prepared and the proposed project would not include more than 100 visitors or employees.
- I-9c requiring the Port and the City's Office of Emergency Services to plan routes of alternative emergency access to development sites because this is outside of the requirements of the proposed project and should be completed by the Port.
- I-11b requiring construction of larger and higher breakwaters at the Hyde Street Pier, Fisherman's Wharf, and marinas because this is outside of the scope of the proposed project.

WATER QUALITY

Mitigation Measure 14 – Construction Activities

The Port would ensure that construction activities are scheduled to avoid conflict with special activities of the nearby swimming clubs.

Mitigation Measure 15 – Storm Water Runoff at F. Alioto Site

Storm water runoff from the roof of the proposed F. Alioto building shall be directed through gutters and roof leaders towards discharge to the Bay. Roofing materials shall be specified to minimize introduction of pollutants into storm water runoff. This measure, if consistent with all applicable water quality regulations, could reduce volumes flowing to the combined sewer system.

Mitigation Measure 16 – Storm Water Runoff at Cal Shell Site

Storm water runoff from the Cal Shell support space along Fish Alley shall be collected and treated prior to discharge to the Bay. This measure could further reduce volumes flowing to the combined sewer system, if consistent with all applicable water quality regulations.

HAZARDOUS MATERIALS

Mitigation Measure 17 – Health and Safety Plan

Potential hazards to construction workers and the general public during demolition and construction shall be mitigated by the preparation and implementation of a site-specific health and safety plan. The health and safety plan shall meet the requirements of federal, state and local environmental and worker safety laws. Specific information to be provided in the plan includes identification of contaminants, potential hazards, material handling procedures, dust suppression methods, personal protection clothing and devices, controlled access to the site, health and safety training requirements, monitoring equipment to be used during construction to verify health and safety of the workers and the public, measures to protect public health and safety, and emergency response procedures.

Mitigation Measure 18 – Soil Classification

During construction, excavated soil shall be stockpiled on plastic, sampled for waste classification purposes, and legally disposed of. In the event that the soil were characterized as a hazardous waste according to State or Federal criteria, the soil shall be disposed of at a Class I disposal facility. Soil classified as a non-hazardous waste could be disposed of at a Class II or III disposal facility in accordance with applicable waste disposal regulations.

E. OTHER	Yes	No	Discussed
Require approval and/or permits from City Departments other than Planning Department or Department of Building Inspection, or from Regional, State, or Federal Agencies?	X	___	X

A summary of the permit approvals required from other agencies is provided in Section I of this Initial Study (see p.19).

IV. ALTERNATIVES

The EIR will analyze alternatives to the project that would reduce or eliminate any significant environment effects. These alternatives are expected to include:

1. No Project (No demolition) Alternative. The existing building and substructure on the site would continue to deteriorate, increasing the risk of failure.

2. Historic rehabilitation of the Wharf J-10 building and substructure for receiving uses per Secretary of the Interior Standards for the Treatment of Historic Properties.

3. Reconstruction of the fish processing facility at Wharf J-10, incorporating salvaged portions of the historic building to provide architectural character per the Architectural Resources Group (ARG) Design Guidelines for the Fish Alley Architectural Character District (but which would not necessarily meet Secretary of Interior Standards).

4. Construction of an all-new fish handling facility on entire site, designed consistent with the ARG Design Guidelines for the Fish Alley Architectural Character District.

E. MANDATORY FINDINGS OF SIGNIFICANCE	Yes	No	Discussed
1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history?	X	____	X
2) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	____	X	____
3) Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.)	____	X	X
4) Would the project cause substantial adverse effects on human beings, either directly or indirectly?	____	X	____

The demolition of Wharf J-10 could impact archaeological resources and would eliminate an historic resource, both of which are potentially eligible for the California Register. These impacts will be addressed in the EIR.

F. ON THE BASIS OF THIS INITIAL STUDY

___ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Department of City Planning.

___ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because the mitigation measures, numbers 1-6, in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

_X_ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

July 17, 2004
Date

Nick Cooper, for
PAUL MALTZER
Environmental Review Officer for
GERALD G. GREEN
Director of Planning
Planning Department

REFERENCES:

All references are available for review by appointment as part of the project environmental file at the Planning Department, 1660 Mission Street, in Project File No. 2001.0636E.

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APPENDIX B

ARCHITECTURAL RESOURCES GROUP DESIGN REVIEW

I. INTRODUCTION

At the request of Environment Science Associates (ESA) Architectural Resources Group (ARG) has prepared an analysis of the design scheme of the proposed Alioto-Lazio Fish Company Building. The drawings were prepared by Gilbert Murphy, architect, and are included in the *Notice of An Environmental Impact Report,* April 2, 2004. This review will serve as a stand-alone technical appendix of the Environmental Impact Report (EIR) to be completed by ESA.

The proposed structure will be a pile-supported, fish-processing building for use by F. Alioto Fish Company within its leasehold on the western side Wharf J-10. The building would encompass a total of 17, 312 sq. ft. including approximately 9,822 sq. ft. on the "Wharf" (ground floor) and mezzanine levels and 7,490 sq ft of area on the first floor. Approximately 4,200 sq. ft. of the northern side of the building would be built on the portion of the wharf that hangs over the water, supported by piles, and approximately 3,200 sq. ft. would be built on land on the southern side of the building. The building will be approximately 32 feet in height, measured according to the Planning Code, with limited roof elevation of approximately 35 feet above the main entrances on the north and south elevations. In addition a 10-foot wide wharf deck would span the entire length of the north side of the proposed building over the San Francisco Bay.

Paramount to designing a new building within the context of an historic, or architecturally significant area is understanding the history, urban organization, natural features, materials, architectural styles, and historic uses that define the area. Historic and architectural character districts are generally defined by the dominant continuity of features within a collection of building, and it is therefore the repetition of a common feature that contributes to the overall historic, architectural, and visual character of the area. ARG staff has analyzed the design of the proposed building for its compliance with the Design Criteria for Seawall Lots 302 & 303 (Fish Alley Area) adopted by the Port Commission in October 2001 as part of the Fish Alley Amendments to the *Waterfront Design & Access Element of the Port of San Francisco Waterfront Land Use Plan.* This analysis first presents a recommendation from one of adopted design criteria (marked with a bullet) followed by an analysis of the compliance of the current project (in *italics*).

II. FISH ALLEY DESIGN CRITERIA

VIEWS

- View corridors down Jones and Leavenworth Streets should be maintained by discouraging new development along these two streets within Fish Alley.

The proposed building does not block these view corridors.

- Existing Views can be maintained by limiting the height of new development within Fish Alley to two stories.

The proposed building would be two stories and appears to meet the recommendations. However, because the proposed building would have a mezzanine and a full second story, its 32-foot height would be greater than the height of the existing single-story-plus-mezzanine Wharf J-10 building, which is about 18 feet tall. The new building would also be taller than most surrounding structures in the Fish Alley area. Therefore, the new building would be more visible in views toward the bay, such as from Jefferson Street, than the existing building.

MASSING

- Articulate the massing of new development and additions so that they respect the building widths, heights, and simple massing and detailing of Fish Alley's [in this case the warehouses] existing buildings.

The new building would be long and rectangular; however its footprint would be smaller than the existing footprint. Further, the stepped roof section in the middle of the roofline creates a dominant central feature not typical of the Fish Alley structures. Intermediate roofs above the first floor level openings, like those of the new building, are not common to the undecorated shed warehouses of Fish Alley and are not compatible.

- The footprint of new development and additions to existing buildings along Jefferson Street should extend the width of the lot with no side setbacks so that the continuity of the street facade wall is maintained.

The project site does not front Jefferson Street and, therefore, this criterion is not applicable to the proposed project.

SCALE

- Appreciate the scale that the typical building heights of neighboring buildings contribute to the character of the streetscape by holding new development to two stories or less.

As noted under Views, the proposed building would be two stories and appears to meet the recommendations. However, the proposed building would be taller than the existing Wharf J-10 building and most surrounding structures in the Fish Alley area.

SITE COVERAGE

- The front setbacks of new development along Jefferson Street should vary slightly in keeping with existing architectural pattern.

The project site does not front Jefferson Street and, therefore, this criterion is not applicable to the proposed project.

- The placement of infill development on the interior of the Fish Alley Area should not encroach on the boundaries of the narrow alleyways, and should serve to enhance the delineation of the edges.

The project would not encroach upon the boundaries of the alleyways within the Fish Alley area. However, the proposed building would not enhance the delineation of the alleyway edges, in that the footprint of the proposed building would be about half that of the existing building at Wharf J-10. The resulting side setbacks interrupt the continuity of the façade wall and would not maintain the edges of Leavenworth and Hyde Streets.

ARTICULATION

- Opening patterns should be designed to communicate a human scale to pedestrians by articulating floor levels, or through glazing divisions;

The drawings provided show openings but do not indicate whether they are windows or doors or the proposed detailing of this fenestration. These details relating to materials and type of openings should be defined and reviewed before the project proceeds. First floor openings should be solid large cargo doors in keeping with the typical warehouse form.

- New development or additions should respect existing patterns and proportions of alternating openings and solidity of walls;

The proposed building shows the openings of the first and second floors as roughly the same size. In keeping with the Fish Alley warehouse type, the first floor openings should be significantly larger than those on the second (mezzanine) floor. The size and uniformity of proposed building's first and second floor openings is more typical of a commercial or office building, than an historic industrial warehouse and is not appropriate to Fish Alley

CHARACTER

- Along Jefferson Street, avoid blank ground floor walls by providing views into the ground floor of buildings. Allow awnings or arcades to extend commercial building activities onto and over the sidewalk area.

The project site does not front Jefferson Street and, therefore, this criterion is not applicable to the proposed project.

- Maintain the horizontal orientation of existing patterns throughout Fish Alley by aligning the horizontal elements of new development and additions with those of existing buildings;

The drawings show a relatively tall building by Fish Alley standards with stacked openings in the center and at either end of the main Fish Alley façade, which gives the building more of a vertical orientation than the existing Wharf J-10 building. The drawings of the proposed building do not indicate the wall material. Horizontal wood siding would be appropriate to enhance the building's horizontal orientation.

MATERIALS

- Varying building materials between existing buildings and additions is encouraged to visually distinguish new from old;
- New development and additions should be constructed with simple, industrial materials that typify those found throughout Fish Alley;

Although corrugated metal siding is common throughout Fish Alley, the existing building is finished in wood siding, which would therefore be appropriate for the new building. The drawings of the proposed building do not indicate the wall material. This aspect of the new building should be reviewed when available for consistency with the Design Criteria. The existing building has a flat roof surrounded by a red-tile skirt. The similar roof of the proposed new building is therefore not inappropriate. However, as mentioned above, the raised center section and intermediate roofs above first floor openings are not typical or representative of the historic warehouses.

SIGNAGE

- New signage within the Fish Alley Study area should be kept simple and small scaled. The design of the new signage should be in keeping with the historic signs of Fish Alley. Painted wood signs hung off the buildings or painted directly on the buildings are encouraged. Neon signs are not appropriate for the Fish Alley Study area.

The drawings of the proposed building shows signs that read "F. ALIOTO FISH CO. ALIOTO-LAZO" located on both the north and south elevations of the building. The signs appear to be placed directly on the building, which is in keeping with the Design Criteria. However, the drawings do not indicate the material of the base or lettering. This information should be reviewed before the project proceeds.

SITE FURNISHINGS

- Site furnishings and landscaping should be kept minimal and simple and should reflect the industrial and maritime character of the Fish Alley Study area.

The site design is not indicated on the drawings of the proposed building. These should be reviewed for compliance with the Design Criteria when they are available.

LANDSCAPING

- New landscaping with the Fish Alley Study area should be limited to small-scaled plantings in planter boxes and should not include street trees.

Landscaping is not indicated on the drawings of the proposed building. It should be reviewed for compliance with the Design Criteria when they are available. Historically, there was limited landscaping in Fish Alley and a complex planting plan or design incorporating decorative pavers, etc. would not be appropriate.

SERVICE

- Provide service access from interior alleys or north/south streets;

Given the new building's location, service access would be from Fish Alley, and would be consistent with this Criterion.

TRASH ENCLOSURES

- Use fences or other lockable enclosures to screen trash facilities from public view, and incorporate appropriate water quality protective measures to comply with all water quality environmental laws and regulations.

The drawings do not show trash enclosures, and this aspect of the new building should be reviewed when available for compliance with the Design Criteria.

III. CONCLUSION

The drawings for the Alioto-Lazio Fish Company are schematic and do not give all of the information needed to adequately assess the building for compliance with the Fish Alley Design Criteria. Design elements that require more information include: the details regarding the fenestration design, materials and details, , the exterior wall material, signage material, and site design and landscaping. The schematic drawings indicate many design elements that do not appear to be in compliance with the Design Criteria and industrial character of the warehouses such as: raised central roof section, intermediate roofs at the first floor level openings, side setbacks at the Leavenworth and Hyde Street elevations, proportion of first floor and second floor openings and the limited footprint of the building which would change the character of Fish Alley.

The rectangular, horizontal massing of the building and its flat roof with red-tile skirt generally meet the Design Criteria. In addition, the proposed building does not block the view corridors or interrupt the desired pedestrian circulation. The building should be reviewed again for compliance with the Design Criteria once the design is more developed.

APPENDIX C
HAZARDOUS MATERIALS AND HAZARDOUS WASTES

This appendix supplements the information provided in Chapter III.C of the EIR. It provides an overview of the hazardous materials regulatory framework; discusses relevant state, federal, and local statutes; and documents regulatory databases reviewed to identify permitted hazardous materials uses, environmental cases, suspect land uses, and spill sites in the vicinity of Wharf J-10.

REGULATORY FRAMEWORK

Hazardous materials and hazardous wastes are extensively regulated by various federal, state, regional, and local regulations, with the major objective of protecting public health and the environment. This section summarizes the overall regulatory framework governing hazardous materials management.

FEDERAL REGULATIONS

The U.S. Environmental Protection Agency (U.S. EPA) is the lead agency responsible for enforcing federal regulations that affect public health or the environment. The primary federal laws and regulations include: the Resource Conservation and Recovery Act of 1974 (RCRA); the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA); and the Superfund Act and Reauthorization Act of 1986 (SARA). Federal statutes pertaining to hazardous materials and wastes are contained in the Code of Federal Regulations (40 CFR).

RCRA was enacted in 1974 to provide a general framework for the national hazardous waste management system, including the determination of whether hazardous wastes are being generated, techniques for tracking wastes to eventual disposal, and the design and permitting of hazardous waste management facilities. The Hazardous and Solid Waste Amendment was enacted in 1984 to better address hazardous waste; this amendment began the process of eliminating land disposal as the principal hazardous waste disposal method. Other specific areas covered by the amendment include regulation of carcinogens, listing and delisting of hazardous wastes, permitting for hazardous waste facilities, and leaking underground storage tanks.

CERCLA, also known as Superfund, was enacted in 1980 to ensure that a source of funds was available to clean up abandoned hazardous waste sites, compensate victims, address releases of hazardous materials, and establish liability standards for responsible parties. SARA amended CERCLA in 1986 to increase the Superfund budget, modify contaminated site clean up criteria and schedules, and revise settlement procedures. SARA also provides a regulatory program and

fund for underground storage tank cleanups and Emergency Planning and Community Right- to-Know Program (EPCRA).

In 1976, Congress passed the Toxic Substances Control Act (TSCA) which was implemented in 1979. This act governs the manufacture, processing, distribution in commerce, use, cleanup, storage, and disposal of PCBs. Since 1978, the U.S. EPA has promulgated numerous rules further addressing all aspects of the life cycle of PCBs. The most recent rule was the Final Rule: Amendments to the TSCA PCB Disposal Regulations Including Amendments to the PCB Notification and Manifesting Rule promulgated on June 24, 1999. This rule is deregulatory in nature and provides individuals with more flexibility in their PCB disposal practices while continuing to provide protection from unreasonable risk.

STATE AND REGIONAL REGULATIONS

The California Department of Toxic Substances Control (DTSC) and the Regional Water Quality Control Board (RWQCB) are the primary state agencies regulating hazardous materials in California. These agencies are part of the Cal EPA. The RWQCB is authorized by the State Water Resources Control Board to enforce provisions of the Porter - Cologne Water Quality Control Act of 1969. This act gives the RWQCB authority to require groundwater investigations when the quality of groundwater or surface waters of the state is threatened, and to require remediation of the site, if necessary. The DTSC is authorized by the U.S. EPA to regulate the management of hazardous substances including the remediation of sites contaminated by hazardous substances.

California hazardous materials laws incorporate federal standards but are often stricter than federal laws. The primary state laws include: the California Hazardous Waste Control Law (HWCL), the state equivalent of RCRA; and the Carpenter-Presley-Tanner Hazardous Substance Account Act (HSAA), the state equivalent of CERCLA. State hazardous materials and waste laws are contained in the California Code of Regulations, Titles 22 and 26.

The HWCL, enacted in 1972 and administered by the DTSC, is the basic hazardous waste statute in California and has been amended several times to address current needs, including bringing the state law and regulations into conformance with federal laws. This act implements the RCRA "cradle-to-grave" waste management system in California but is more stringent in its regulation of non-RCRA wastes, spent lubricating oil, small quantity generators, transportation and permitting requirements, as well as in its penalties for violations. The HWCL also exceeds federal requirements by mandating the recycling of certain wastes, requiring certain generators to document a hazardous waste source reduction plan, requiring permitting for federally exempt treatment of hazardous wastes by generators, and stricter regulation of hazardous waste facilities.

The HSAA, enacted in 1981, addresses similar concerns as CERCLA. The primary difference is in how liability is assigned for a site with more than one responsible party. This is important for petroleum clean up sites because federal law is usually used to force responsible party cleanups; state law is used for petroleum cleanup sites which are exempt from CERCLA.

Other relevant State of California statutes include:

- The Toxic Pit Cleanup Act of 1984 and the Toxic Injection Well Act of 1985 which were established to provide a regulatory framework for open pits or injection wells as a means of hazardous waste or disposal;

- The Hazardous Waste Management Act of 1986 which coordinates the state's implementation of federal landfill bans and authorizes landfill bans for non-RCRA hazardous wastes;

- The Aboveground Petroleum Storage Act of 1989 which requires the owner or operator of aboveground petroleum storage tanks to file a storage statement with the State Water Resources Control Board (SWRCB) if tank storage exceeds 10,000 gallons and holds petroleum or petroleum product which is liquid at ambient temperatures. In addition, the tank or tanks must be registered if they are subject to federal requirements; this potentially expands the requirement for a storage statement to any tank over 660 gallons or aggregate storage of 1,320 gallons;

- The Hazardous Waste Source Reduction and Management Act which required large quantity generators to document hazardous wastes being generated and to prepare a documented waste reduction plan beginning in 1991;

- The Hazardous Waste Treatment Permitting Reform Act of 1992 which required a permit for any hazardous waste treatment by a generator beginning on April 1, 1993. This statute established a new tiered permitting program whereby on-site treatment facilities are permitted or authorized to operate subject to different levels of regulatory requirements depending on the nature and size of the treatment activity. Amendments to this statute adopted in 1993-96 have enacted certain exemptions and modified compliance requirements; and

- The Hazardous Waste Management Reform Act of 1995 which required the DTSC to revise its regulations to more closely conform to federal hazardous waste identification criteria and essentially eliminate land disposal restrictions for California-only hazardous wastes among other major changes. However, many of these changes have been deferred to a DTSC advisory committee for further study and are not expected to be implemented for several years, and in certain cases, not at all.

The Bay Area Air Quality Management District (BAAQMD), a regional regulatory agency, may impose specific requirements on remediation activities to protect ambient air quality from dust or other airborne contaminants.

LOCAL REGULATIONS

In accordance Chapter 6.11 of the Health and Safety Code (Section 25404, et seq.), the San Francisco Department of Public Health (SFDPH), is the primary local environmental regulatory agency responsible for enforcement of City, state and federal environmental health codes and regulations. The SFDPH is the administering agency for the Certified Uniform Program Agency (CUPA) regulations in the City and County of San Francisco.

As the CUPA, they are responsible for the following environmental programs:

- Hazardous materials business plans (Chapter 6.95 of the Health and Safety Code, Section 25501, et seq.);
- The California accidental release prevention program for acutely hazardous materials (Chapter 6.95 of the Health and Safety Code, Section 25531, et seq.);
- State Uniform Fire Code requirements (Section 80.103 of the Uniform Fire Code as adopted by the State Fire Marshall pursuant to Health and Safety Code, Section 13143.9);
- Underground storage tanks (Chapter 6.7 of the Health and Safety Code, Section 25280, et seq.);
- Aboveground storage tanks (Health and Safety Code Section 25270.5(c); and
- Hazardous waste generator requirements (Chapter 6.5 of the Health and Safety Code, Section 25100, et seq.).

The SFDPH has the authority over monitoring the storage of flammable liquids, which includes underground tanks, and other hazardous materials. Under the local oversight program, the SFDPH also has a memoranda of understanding with the RWQCB that gives the City local oversight authority for leaking underground storage tank investigations and remediations. The San Francisco Fire Department (SFFD), Bureau of Fire Prevention and Investigation, conducts inspections of underground storage tank installations and has permit authority over the storage of flammable liquids.

City of San Francisco Hazardous Materials Regulations

Three regulations from the *San Francisco Health Code*, summarized below, are relevant to demolition activities or construction and operation of the proposed project with respect to hazardous materials and hazardous waste. These include Article 22A (Analyzing the Soil for Hazardous Waste, formerly the Maher Ordinance), Article 21 (Hazardous Materials), and Article 22 (Hazardous Waste Management).

Article 22 A – Analyzing the Soil for Hazardous Waste

Construction of projects located bayward of the historic high tide line that would involve excavation of greater than 50 cubic yards of soil would be subject to the requirements of Article 22A of the *San Francisco Health Code*. The requirements would be triggered by the building permit application or equivalent process for City or County projects. Major requirements include:

- Preparation of a site history report to describe past site uses and identify whether the site is listed as a hazardous waste site pursuant to state or federal regulations;
- Implementation of a soil investigation to evaluate the potential presence of hazardous wastes in the soil;

- Preparation of a soil analysis report that evaluates the results of chemical analysis of the soil samples;
- Preparation of a site mitigation plan if contamination is identified, assessing potential environmental and health and safety risks, recommending measures to mitigate the risks, identifying appropriate waste disposal and handling requirements, and presenting criteria for on-site reuse of soil;
- Preparation of a certification report stating that either (1) no hazardous wastes present in the soil present an unacceptable risk and that no mitigation measures are required; or (2) all mitigation measures recommended in the site mitigation report have been completed and that completion of the mitigation measures has been verified through follow-up soil sampling and analysis, if required.

Article 22A requires that the report(s) are prepared by knowledgeable, certified professionals and provide information on historic and current hazardous waste contamination at the property. The soil analysis report is submitted to the SFDPH, DTSC and the RWQCB and the measures recommended in the site mitigation plan would be completed during construction. If the approved site mitigation plan includes leaving hazardous materials in the soil or groundwater with containment measures to prevent exposure to hazardous materials, the SFDPH would require a Risk Management Plan, Health and Safety Plan, and possibly a Cap Maintenance Plan specifying procedures for preventing unsafe exposure to hazardous materials left in place and safe procedures for handling hazardous materials should site disturbance be required. The SFDPH would require a deed notice, and the requirements of these plans would transfer to the new property owners in the event that the property is sold.

This article protects the health and safety of the City's workers, residents, and occupants from risks associated with hazardous wastes in the soil by requiring a site assessment and mitigation of any risks identified as a condition for construction of a planned project.

Article 21 – Hazardous Materials

Article 21 of the *San Francisco Health Code* provides for safe handling of hazardous materials in the City. In accordance with this article, any person or business that handles, sells, stores, or otherwise uses hazardous materials in quantities exceeding specified threshold amounts would be required to obtain and keep a current hazardous materials certificate of registration and to implement a hazardous materials business plan (HMBP) submitted with the registration application. Facilities with USTs are also required to obtain a permit to operate the tank. In addition to specifying permitting requirements for hazardous materials and USTs, Article 21 prohibits unauthorized releases of hazardous materials and specifies requirements for reporting an unauthorized release, inspections after an unauthorized release, addressing abandoned USTs or hazardous materials handling facilities, and closure of hazardous materials handling facilities.

This article helps protect the health and safety of the general community and emergency response personnel, such as fire fighters and paramedics. Data on hazardous materials use are stored in a citywide computer system and can be made available to emergency responders. The information

assists emergency responders to assess and resolve hazardous materials incidents quickly and safely. Inspections are performed by the City every one to two years or upon complaint.

This article incorporates the California Underground Storage Tank Regulations specified in the California Health and Safety Code, Chapters 6.7 and 6.75; Hazardous Materials Release Response Plans and Inventory Regulations requiring preparation of an HMBP, and specified in the California Health and Safety Code, Chapter 6.95, Article 1; Aboveground Petroleum Storage Tank Regulations requiring preparation of a SPCC plan, and specified in the California Health and Safety Code, Section 25270.5; and hazardous materials management provisions of the Uniform Fire Code requiring Hazardous Materials Inventories specified in Sections 8001.3.2(a) and 8001.3.3(a). It also provides for additional stricter local requirements.

Article 22 - Hazardous Waste Management

Article 22 of the *San Francisco Health Code* provides for safe handling of hazardous wastes in the City. This article incorporates the state requirements for hazardous waste management specified in the California Health and Safety Code, Chapter 6.5, Article 2, and authorizes the SFDPH to implement the requirements of the Hazardous Waste Control Act related to hazardous waste generators in San Francisco. In accordance with this article, the SFDPH has the authority to conduct inspections of any facilities where hazardous wastes are stored, handled, processed, disposed of, or treated to recover resources and must maintain records to document compliance with the Hazardous Waste Control Act. Hazardous wastes generated at a facility would be disclosed in the Hazardous Materials Certificate of Registration and HMBP prepared for the facility in accordance with Article 21 of the *San Francisco Health Code* (described above).

Chapter 34, Section 3407 of the San Francisco Building Code

Chapter 34, Section 3407 of the *San Francisco Building Code*, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures, includes requirements for projects that disturb lead-based paint on the exterior of buildings or steel structures. Where there is any work that may disturb or remove more than 10 total square feet of lead-based paint on the exterior of any building built prior to December 31, 1978, Chapter 34, Section 3407 requires specific notification and work standards and identifies prohibited work methods and penalties.

The code contains performance standards, including establishment of containment barriers that are at least as effective at protecting human health and the environment as those outlined in US Department of Housing and Urban Development (HUD) guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used to remove lead-based paint. Any person performing work subject to Chapter 34, Section 3407 must make all reasonable efforts during the course of the work to prevent migration of lead-based paint contaminants beyond containment barriers, and any person performing regulated work must make all reasonable efforts to remove visible lead-based paint contaminants from regulated areas of the property prior to completion of the work.

Chapter 34, Section 3407 also includes notification requirements, information the notice should contain, and requirements for signs. Notification includes informing bidders of any paint-inspection reports that verify the presence or absence of lead-based paint in the regulated area of the proposed project. Prior to commencement of work, the responsible party must provide written notice to the Director of the Department of Building Inspection (DBI) of the location of the project; the nature and approximate square footage of the painted surface being disturbed and/or removed; anticipated job start and completion dates for the work; whether the responsible party has reason to know or presume that lead-based paint is present; whether the building is a residential or nonresidential, owner-occupied, or rental property; the approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager/cell number of the party who will perform the work. The ordinance contains provisions regarding inspection and sampling for compliance by the DBI, and enforcement, and describes penalties for noncompliance with the requirements of the ordinance.

This code protects the health and safety of the workers, residents, and occupants from risks associated with lead-based paint by including specific requirements to control lead-based paint during demolition activities.

HAZARDOUS MATERIALS MANAGEMENT

This section addresses specific requirements for hazardous materials management including requirements for:

- Hazardous Materials Business Plans (HMBP);
- California Accidental Release Program (CalARP);
- Aboveground storage tanks,
- Lead-based paint abatement;
- Polychlorinated biphenyls;
- Waste disposal; and
- Health and safety

HAZARDOUS MATERIALS BUSINESS PLANS AND INVENTORIES

Businesses that handle hazardous materials over certain threshold quantities are required by the State of California to submit an HMBP to the SFDPH as the local administering agency in the City and County of San Francisco. This document is used by City and County emergency response agencies for chemical emergency planning. The HMBP includes an inventory of hazardous materials used, and it is required to include the following:

- specific details on the facility covered by the plan, such as name and address;
- an inventory of hazardous materials used and stored;

- a site and facility layout;
- emergency response procedures;
- procedures for immediate notification of the administering agency in the event of an emergency;
- evacuation plans in the event of an emergency;
- a description of the training employees have received in the evacuation and safety procedures; and
- identification of local emergency medical assistance.

CALIFORNIA ACCIDENTAL RELEASE PROGRAM

The California Accidental Release Prevention (CalARP) program requires that facilities with processes handling more than a threshold quantity of a regulated acutely hazardous substance must be evaluated to determine the potential for accidental releases from that covered process. Under certain conditions specified by the CalARP regulation, the owner or operator is required to prepare and submit a risk management plan (RMP) to the SFDPH. The requirement for the RMP submission is in addition to a submission of an HMBP.

The owner or operator should coordinate with the SFDPH to determine the appropriate level of documentation required for an RMP. Depending on the types of processes and the quantities of regulated substances being handled, the facility is subject to one of three RMP program levels, as specified in the CalARP regulation. The RMP may include the following requirements, depending on the program level:

- Analyze a worst case accidental release scenario, as specified in the regulation;
- For existing processes that are subject to the CalARP regulation, complete a five-year accident history;
- Develop and implement a management system for handling the regulated substances;
- Conduct a hazard assessment to develop accidental releases from the process that are more credible than the worst case analysis identified above;
- Develop and implement an emergency response program; and
- Submit, as part of the RMP, data on prevention program elements.

Above Ground Storage Tanks

Title 40 of the Code of Federal Regulations, Section 112 also contains requirements for above ground storage of petroleum products. In accordance with these regulations, a petroleum tank of greater than 660 gallons or aggregate storage of over 1,320 gallons, which could reasonably discharge to a navigable water, is required to have a Spill Control and Countermeasure Plan (U.S. EPA Region IX, San Francisco, has taken a conservative stance, that virtually any large oil spill in California will enter federally regulated waters). The plan would include appropriate spill containment or equipment used to divert spills from sensitive areas, a discussion of facility

specific requirements for the storage system, inspections and a record keeping system, security for the system, and personnel training.

Lead-Based Paint Abatement

Lead-based paint is defined by state and federal regulations as paint containing lead at a concentration of 5,000 milligrams per kilogram (or 0.5%) or greater. In accordance with regulatory guidance, lead-based paint waste that has been separated from building materials (such as delaminated or chipping paint) must be evaluated separately from other building materials for waste disposal purposes during building demolition. Accordingly, any chipping or delaminated paint would need to be removed before any renovation or demolition activities. Depending on the level of lead identified in the paint, it may require disposal as a hazardous waste. Building materials which still have the paint adhered to them may generally be disposed of as regular construction debris, regardless of the lead level in the paint.

The Lead in Construction Standard contained in Title 29 of the Code of Federal Regulations, Section 1926.62 applies to the removal of chipping or delaminated lead-based paint. In accordance with this standard, it is necessary for workers to wear respiratory protection until the work is completed or until an employee exposure assessment can demonstrate that air lead levels during scraping are below the PEL. Other applicable requirements of the standard include worker awareness training, use of protective clothing, provisions for change areas and hand washing facilities, biological monitoring, and development of a site specific compliance program. California regulations relating to the abatement of lead-based paint are contained in Title 8 of the California Code of Regulations, Section 1532.1). These state regulations are similar to the Federal regulations.

Polychlorinated Biphenyls (PCBs)

PCB-containing oil was historically used in transformers and other electrical equipment. With the implementation of TSCA, the U.S. EPA banned the use of PCB-containing oil and prohibited the use of PCB-containing oil in electrical transformers in July of 1979.

On June 29, 1998, the U.S. EPA issued its final rule concerning known and potential PCB-containing equipment. The regulations categorize transformers into these three categories on the basis of their PCB content:

- Non-PCB: Transformers containing less than 50 ppm of PCBs;
- PCB-Contaminated: Transformers containing 50 to less than 500 ppm of PCBs; and
- PCB: Transformers containing 500 ppm of PCBs or greater.

Under the final rule, in-use transformers whose PCB content is unknown but were manufactured before July 2, 1979 should be assumed to be non-PCB. In-use transformers manufactured before July 2, 1979 should be considered PCB-contaminated if filled with mineral oil and PCB if filled with a fluid other than mineral oil.

Under the final rule, the following electrical equipment can be considered non-PCB in the absence of sampling to demonstrate otherwise:

- transformers with less than 3 pounds of fluid;
- circuit breakers;
- reclosers;
- oil-filled cable; and
- rectifiers.

The actual PCB content of all transformers, regardless of the date of manufacture, must be determined prior to disposal. In addition, all transformers known or assumed to contain PCBs were required to be registered with the federal government by December 28, 1998 whether in use or in storage for reuse.

Waste Disposal

All California landfills have been segregated by regulatory authority into the categories of Class I, Class II and Class III facilities. Class I facilities can accept hazardous wastes with chemical levels below the federal land disposal restriction (land ban) treatment standards. Class II and III facilities can accept non-hazardous wastes that meet acceptance criteria determined by the state for organic and inorganic compounds. Each landfill has individual acceptance criteria and the appropriate disposal site for a waste would be determined on the basis of the classification of the waste and individual landfill acceptance criteria.

In accordance with state and federal regulations, a waste is hazardous if it:

- Is a listed hazardous waste as defined in RCRA; or
- Exhibits the characteristics of ignitability, corrosivity, reactivity, or toxicity as defined in the California Code of Regulations.

Hazardous materials and hazardous wastes are defined in the California Code of Regulations, Title 22, Sections 66261.1 through 66261.126. A waste is considered toxic if it contains certain metals or organic substances at concentrations greater than federal toxicity regulatory levels using a test method called the TCLP;[25] if it contains certain substances at concentrations greater than the state regulatory levels, including the total threshold limit concentration TTLC[26] or the

[25] A waste would be considered hazardous if it contains a soluble concentration of the specified substance at a concentration greater than the federal toxicity characteristic level specified in CCR, Title 22, Section 66261.24 (a)(i). The soluble concentration is determined using the TCLP, which involves a 20-to-1 dilution of the sample. Because of this, the total concentration of a substance would need to exceed 20 times the TCLP level for the soluble concentration to possibly be greater than the TCLP level.

[26] In accordance with CCR, Title 22, Section 66261.24(a)(2), a waste would be considered hazardous on the basis of toxicity if it contains the specified substance at a total concentration greater than the TTLC.

STLC;[27] if it contains specified carcinogenic substances at a single or combined concentration of 0.001 percent; or if toxicity testing indicates toxicity greater than specified criteria.

Class II and III landfills in the Bay Area have acceptance criteria for lead that are lower than the TCLP or STLC. Soil with total petroleum hydrocarbon concentrations above the detection limit must be disposed of at an appropriate landfill facility or treated to reduce the levels of petroleum hydrocarbons in the soil. In general, soil with total petroleum hydrocarbon levels up to 100 milligrams per kilogram can be disposed of at a Class III disposal facility. If the concentration is between 100 and 1,000 milligrams per kilogram, it can be disposed of at a Class II disposal facility; and if the concentration is greater than 1,000 milligrams per kilogram, Class I disposal would be required.

Lead-based paint would be considered a hazardous waste because the total lead concentration would be greater than the TTLC of 1,000 milligrams per kilogram. It would be necessary to dispose of the paint at a Class I facility.

The California Department of Toxic Substances Control has classified friable, finely divided and powdered wastes containing greater than one- percent asbestos as a hazardous waste.[28] A friable waste can be reduced to powder or dust under hand pressure when dry. Non-friable asbestos-containing wastes are not considered hazardous and are not subject to regulation under Title 22, Division 4.5 of the California Code of Regulations. The management of these wastes would still be subject to any requirements or restrictions which may be imposed by other regulatory agencies. The state standard for classification of asbestos wastes is contained in Section 66261.24 of Title 22 of the California Code of Regulations. Asbestos is not currently regulated as a hazardous waste under the RCRA; because of this it is considered a non-RCRA waste. Asbestos wastes, totaling more than 50 pounds, must be transported by a registered waste hauler to an approved treatment, storage or disposal facility.

Wastes containing asbestos may be disposed of at any landfill which has waste discharge requirements issued by the RWQCB that allow disposal of asbestos-containing materials, provided that the wastes are handled and disposed of in accordance with the Toxic Substances Control Act, the Clean Air Act's National Emission Standards for Hazardous Air Pollutants, and Title 22 of the Code of California Regulations (Division 4.5). The Department of Toxic Substances Control also has treatment standards for asbestos-containing wastes, which require submittal of a notification and certification form to the land disposal facility as well as wetting and containment of the asbestos-containing materials.

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27 In accordance with CCR, Title 22, Section 66261.24(a)(2), a waste would be considered hazardous on the basis of toxicity if it contains the specified substance at a soluble concentration greater than the STLC. The soluble concentration is determined by performing a Waste Extraction Test, which involves at 10-to-1 dilution of the sample. Because of this, the total concentration of a substance would need to exceed 10 times the STLC for the soluble concentration to possibly be greater than the STLC.

28 California Department of Toxic Substances Control, Fact Sheet, Asbestos Handling, Transport and Disposal, October 1993.

The owner of properties where hazardous wastes are produced or abatement would occur must have a Hazardous Waste Generator Number assigned by and registered with the California Department of Toxic Substances Control in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest, which details the hauling of the material from the site and the disposal of the material.

Hazardous Materials Worker Safety Requirements

The Federal Occupational Safety and Health Administration (Fed OSHA) and the California Safety and Health Administration (Cal OSHA) are the agencies responsible for assuring worker safety in the handling and use of chemicals in the workplace. The federal regulations pertaining to worker safety are contained in the Code of Federal Regulations, Title 29 (29 CFR) as authorized in the Occupational Safety and Health Act of 1970. They provide standards for safe workplaces and work practices, including standards relating to hazardous materials handling. In California, Cal OSHA assumes primary responsibility for developing and enforcing workplace safety regulations; Cal OSHA standards are generally more stringent than federal regulations.

The state regulations concerning the use of hazardous materials in the workplace are included in Title 8 of the California Code of Regulations, which contain requirements for safety training, availability of safety equipment, accident and illness prevention programs, hazardous substance exposure warnings, and emergency action and fire prevention plan preparation. Cal OSHA also enforces hazard communication program regulations, which contain worker safety training and hazard information requirements, such as procedures for identifying and labeling hazardous substances, communicating hazard information relating to hazardous substances and their handling, and preparation of health and safety plans to protect workers and employees at hazardous waste sites.

REGULATORY DATABASE REVIEW

A regulatory database review was conducted to identify permitted hazardous materials uses, environmental cases, and spill sites within specified distances of Wharf J-10 (EDR, 2005). The databases reviewed are listed in Tables C-1 and C-2 with the date of each database reviewed. Each database is described in the following sections.

A regulatory database review was conducted to identify permitted hazardous materials uses, environmental cases, and spill sites within ¼ mile of the Great Highway between Point Lobos Avenue and Skyline Boulevard (EDR, 2005). The databases reviewed are listed in Tables C-1 and C-2 with the date of each database reviewed. Each database is described in the following sections.

FEDERAL REGULATORY DATABASES

Federal agencies publish numerous lists of sites that track permitted uses of hazardous materials, environmental cases, and spill sites. The lists reviewed are summarized in Table C-1. They include:

TABLE C-1
FEDERAL REGULATORY DATABASES REVIEWED

Name of List	Responsible Agency	Acronym	Date of List
National Priority List	USEPA	NPL	12/14/04
Proposed National Priority List Sites	USEPA	Proposed NPL	12/14/04
Superfund Consent Decrees	USEPA	CONSENT	3/5/04
Records of Decision	USEPA	ROD	9/9/04
Federal Superfund Liens	USEPA	NPL LIENS	10/15/91
National Priority List Deletions	USEPA	Delisted NPL	12/14/04
Comprehensive Environmental Response, Compensation, and Liability Information System	USEPA	CERCLIS	12/14/04
CERCLIS- No Further Remedial Action Planned	USEPA	CERCLIS NFRAP	12/14/04
Toxic Chemical Release Inventory System	USEPA	TRIS	12/31/02
Emergency Response Notification System	USEPA	ERNS	12/31/03
Hazardous Materials Information Reporting System	USDOT	HMIRS	9/8/04
Resource Conservation and Recovery Information	USEPA	RCRA	11/23/04
Biennial Reporting System	USEPA	BRS	12/1/01
RCRA Corrective Action Sites	USEPA	CORRACTS	12/15/05
RCRA Administrative Action Tracking System	USEPA	RAATS	4/17/95
Department of Defense Sites	USGS	DOD	10/1/03
Formerly Used Defense Sites	USACOE	FUDS	12/31/03
Brownfields Sites	USEPA	US BROWNFIELDS	N/A
Facility Index System	USEPA	FINDS	9/9/04
PCB Activity Database System	USEPA	PADS	9/30/04
Toxic Substances Control Act	USEPA	TSCA	12/31/02
Federal Insecticide, Fungicide and Rodenticide Act/TSCA	USEPA	FTTS	9/13/04
Federal Insecticide, Fungicide and Rodenticide Act/TSCA	USEPA	FTTS INSP	4/13/04
Section 7 Tracking Systems	USEPA	SSTS	12/31/03
Material Licensing Tracking System	NRC	MLTS	11/30/04
Underground Storage Tanks on Indian Land	USEPA	INDIAN UST	11/2/04
Leaking Underground Storage Tanks on Indian Land	USEPA	INDIAN LUST	10/3/04
Indian Reservations	USGS	INDIAN RESERV	10/1/03
Mines Master Index File	MSHA	MINES	9/13/04
Uranium Mill Tailings Sites	USDOE	UMTRA	4/22/04
Open Dump Inventory	USEPA	ODI	6/30/85

Source: Environmental Data Resources, 2005

- The National Priority List (NPL) which is a subset of the CERCLIS database (described below) and includes priority sites for cleanup under the federal Superfund Program;
- The Proposed NPL sites (Proposed NPL) which includes sites proposed for addition to the NPL;
- Superfund Consent Decrees (CONSENT) which includes NPL sites with major legal settlements that establish responsibility and standards for cleanup;
- Records of Decision (ROD) list which includes NPL sites where a record of decision has been developed that mandates a permanent remedy and includes technical and health information to aid in the cleanup of the site;
- Federal Superfund Liens (NPL LIENS) list which includes sites where the US EPA has filed liens against real property to recover remedial action expenditures or the property owner has been issued a notification of potential liability;
- NPL Delisted sites (Delisted NPL) which includes sites that have been removed from the NPL because no further response is required in accordance with criteria contained in the National Oil and Hazardous Substances Pollution Contingency Plan;
- The Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) which tracks potentially contaminated properties identified under CERCLA and SARA;
- The CERCLIS No Further Action (CERCLIS-NFRAP) database which lists sites where, following an initial investigation, no contamination was found, contamination was removed quickly, or the contamination was not serious enough to require federal Superfund action or NPL consideration. As part of the U.S. EPA's Brownfields Program, these sites have been removed from the CERCLIS database to lift unintended barriers to redevelopment;
- The Toxic Chemical Release Inventory System (TRIS) which identifies sites which release chemicals to the air, water, or land as required by Title III of the Superfund Amendments and Reauthorization Act of 1986;
- The Emergency Response Notification System (ERNS) which identifies spills of oil or hazardous substances reported pursuant to Section 103 of CERCLA as amended, Section 311 of the Clean Water Act, and sections 300.51 and 300.65 of the National Oil and Hazardous Substances Contingency Plan;
- The Hazardous Materials Information Reporting System (HMIRS) which includes hazardous material spill incidents that were reported to the US Department of Transportation;
- Resource Conservation and Recovery Act Information (RCRA) which includes facilities permitted to handle hazardous wastes under RCRA including treatment, storage, and disposal facilities (RCRA-TSD); large quantity generators which report generation of greater than 1000 kilogram per month of non-acutely hazardous waste or 1 kilogram per month of acutely hazardous waste (RCRA-LQG); and small quantity generators which report generation of less than 1000 kilogram per month of non-acutely hazardous waste or 1 kilogram per month of acutely hazardous waste (RCRA-SQG);

- Biennial Reporting System (BRS) which is a national system administered by the EPA that collects data on the generation and management of hazardous wastes. RCRA Large Quantity Generators and Treatment, Storage, and Disposal facilities are included;
- RCRA Corrective Action Sites (CORRACTS) which includes RCRA permitted facilities that are undergoing corrective action. A corrective action order is issued, when there has been a release of hazardous waste or constituents into the environment from a RCRA facility. Corrective actions may be required beyond the facility's boundary and can be required regardless of when the release occurred, even if it predates RCRA;
- RCRA Administrative Action Tracking System (RAATS) which includes enforcement actions taken under RCRA pertaining to major violations including administrative and civil actions brought by the US EPA;
- Department of Defense Sites (DOD) which includes federally owned or administered lands, administered by the Department of Defense, that have an area equal to or greater than 640 acres of the United States, Puerto Rico, and the US Virgin Islands;
- Formerly Used Defense Sites (FUDS) which includes formerly used defense site properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions;
- Brownfields Sites (US BROWNFIELDS) which includes properties addressed by Cooperative Agreement Recipients and Targeted Brownfields Assessments;
- Facility Index System (FINDS) which includes facility information and "pointers" to other sources that contain more detail. The following databases are included in FINDS: Permit Compliance System (PCS); Aerometric Information Retrieval System (AIRS); Enforcement Dockets (DOCKET); Federal Underground Injection Control (FURS); Criminal Docket System (C-Docket); Federal Facilities Information System (FFIS); State Environmental Laws and Statutes (STATE); and PCB Activity Database System (PADS);
- PCB Activity Database System (PADS) which includes generators, transporters, commercial storers, and/or brokers and disposers of PCBs who are required to notify the USEPA of such activities;
- Toxic Substances Control Act (TSCA) list which includes manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list;
- Federal Insecticide, Fungicide, and Rodenticide Act/TSCA (FTTS) list which includes administrative cases and pesticide enforcement actions and compliance actions related to the Federal Insecticide, Fungicide, and Rodenticide Act;
- Federal Insecticide, Fungicide, and Rodenticide Act/TSCA (FTTS INSP) list which includes inspection information for cases regulated under the Federal Insecticide, Fungicide, and Rodenticide Act;
- Section 7 Tracking Systems (SSTS) which includes pesticide-producing establishments that are registered with the USEPA in accordance with the requirements of Section 7 of the Federal Insecticide, Fungicide, and Rodenticide Act;
- The Material Licensing Tracking System (MLTS) which includes sites that possess or use radioactive materials which are subject to Nuclear Regulatory Commission licensing requirements;

- Underground Storage Tanks on Indian Land (Indian UST) which includes sites with underground storage tanks (USTs) that are located on Indian owned land;
- Leaking Underground Storage Tanks on Indian Land (INDIAN LUST) which includes leaking underground storage tanks on Indian land in Arizona, California, New Mexico, and Nevada;
- Indian Reservations (INDIAN RESERV) which includes Indian administered lands of the United States that have an area equal to or greater than 640 acres;
- Mines Master Index File (MINES) which includes properties that have been involved in mining including coal mining, quarrying, or sand and gravel operations;
- Uranium Mill Tailings Sites (UMTRA) which includes former uranium ore mining sites where large piles of mill tailings remained after the uranium had been extracted from the ore; and
- Open Dump Inventory (ODI) which is defined as a disposal facility that does not comply with one or more parts of Title 40 of the Federal Code of Regulations, Parts 257 or 258.

STATE REGULATORY DATABASES

Regulatory databases to track the status of permitted hazardous materials uses, environmental cases, and spill sites are also maintained by several state agencies. The state databases reviewed are summarized in Table C-2. They include:

- The Annual Work Plan (AWP), formerly known as the Bond Expenditure Plan, identifies hazardous substance sites targeted for cleanup;
- The California Bond Expenditure Plan (CA BOND EXP PLAN) includes sites for which a site-specific expenditure plan has been prepared for the appropriation of California Hazardous Substance Cleanup Bond Act of 1984 funds. This list is no longer updated;
- List of Deed Restrictions (DEED) which lists sites which have been issued deed restrictions because of the presence of hazardous substances;
- The Spills, Leaks, Investigation, and Cleanup Cost Recovery Listing (SLIC Reg2) which include various sites within the jurisdiction of the San Francisco Bay Region RWQCB;
- Statewide SLIC Cases (SLIC) which is maintained by the State Water Resources Control Board and includes a statewide list of SLIC cases;
- Calsites (CAL-SITES), which was previously referred to as the Abandoned Sites Program Information System (ASPIS), identifies potential hazardous waste sites, which are then screened by the DTSC for further action. Sites on this list which are designated for no further action by the DTSC were removed from this list in 1996;

TABLE C-2
STATE AND LOCAL REGULATORY DATABASES REVIEWED

Name of List	Responsible Agency	Acronym	Date of List
Annual Work Plan	DTSC	AWP	11/9/04
California Bond Expenditure Plan	DHS	CA BOND EXP PLAN	1/1/89
List of Deed Restrictions	DTSC	DEED	10/4/04
Spills, Leaks, Investigation, and Cleanup Cost Recovery Listing	RWQCB	SLIC Reg2	9/30/04
Statewide SLIC Cases	SWRCB	SLIC	1/10/05
Calsites	DTSC	CAL-SITES	11/9/04
Voluntary Cleanup Program Properties	DTSC	VCP	11/9/04
Properties Needing Further Evaluation	DTSC	NFE	11/9/04
Leaking Underground Storage Tank Information System	SWRCB	LUST	1/10/05
Fuel Leak List	RWQCB	LUST Reg2	9/30/04
Solid Waste Information System	Cal IWMB	SWF/LF	12/13/04
Waste Management Unit Database	SWRCB	WMUDS/SWAT	4/1/00
Cortese Hazardous Waste and Substances Sites List	Cal EPA	CORTESE	4/1/01
Toxic Pits Cleanup Act Sites	SWRCB	TOXIC PITS	7/1/95
Waste Discharge System	SWRCB	CA WDS	12/20/04
Proposition 65 Records	SWRCB	NOTIFY 65	10/21/93
No Further Action Determination	DTSC	NFA	11/9/04
Unconfirmed Properties Referred to Another Agency	DTSC	REF	11/9/04
School Property Evaluation Program	DTSC	SCH	11/9/04
California Hazardous Material Incident Report System	Cal OES	CHMIRS	12/31/03
Hazardous Waste Information System	Cal EPA	HAZNET	12/31/02
Active UST Facilities	SWRCB	CA UST	1/10/05
Facility Inventory Database	Cal EPA	CA FID UST	10/31/94
Hazardous Substance Storage Container Database	SWRCB	HIST UST	10/15/90
Aboveground Petroleum Storage Tank Facilities	SWRCB	AST	12/1/03
Cleaner Facilities	DTSC	CLEANERS	11/29/04
Emissions Inventory Data	CARB	EMI	12/31/02
Local Oversight Facilities	SFDPH	LOP	12/9/04
Underground Storage Tank Information	SFDPH	SF UST	12/9/04

Source: Environmental Data Resources, 2005

- Voluntary Cleanup Program Properties (VCP) which includes low threat level properties with either confirmed or unconfirmed releases and the project proponents have requested that the DTSC oversee investigation and/or cleanup activities;
- Properties Needing Further Evaluation (NFE) which includes properties that are suspected of being contaminated, but contamination has not been confirmed. These sites would be assessed using the DTSC Preliminary Endangerment Assessment process;
- The Leaking Underground Storage Tank Information System (LUST) which is an inventory of sites with reported leaking underground storage tank incidents maintained by the State Water Resources Control Board;
- The Fuel Leak List (LUST Reg2) which tracks remediation status of known leaking underground tanks within the jurisdiction of the Central Valley RWQCB;
- The Solid Waste Information System (SWF/LF) which includes a list of active, inactive or closed solid waste disposal sites, transfer facilities, or open dumps, as legislated under the Solid Waste Management and Resource Recovery Act of 1972;
- The Waste Management Unit Discharge System (WMUDS/SWAT) which tracks waste management units. The list contains sites identified in the following databases: Facility Information; Scheduled Inspections Information; Waste Management Unit Information; SWAT Program Information; SWAT Report Summary Information; Chapter 15 Information; Chapter 15 Monitoring Parameters; TPCA Program Information; RCRA Program Information; Closure Information; and Interested Parties Information;
- Cortese Hazardous Waste and Substances Sites List (CORTESE) which includes sites designated be the State Water Resources Control Board (LUST cases), Integrated Waste Board (SWF/LS), and the Department of Toxic Substances Control (CAL-SITES);
- Toxic Pits Cleanup Act Sites (TOXIC PITS) which includes sites suspected of containing hazardous substances where cleanup has not yet been completed;
- The Waste Discharge System (CA WDS) which lists sites which have been issued waste discharge requirements;
- Proposition 65 Records (NOTIFY 65) which includes facility notifications about any release which could threaten drinking water and thereby expose the public to a potential health risk;
- No Further Action Determination (NFA) which includes properties at which the DTSC has made a clear determination that the property does not pose a problem to the environment or to public health;
- Unconfirmed Properties Referred to Another Agency (REF) which includes properties where contamination has been confirmed and which were determined not to require direct DTSC Site Mitigation Program action or oversight. Accordingly, these sites have been referred to another state or local agency;
- School Property Evaluation Program (SCH) which includes proposed and existing school sites that are being evaluated by DTSC for possible hazardous material contamination. In some cases, these properties may be listed in the Cal-Sites category depending on the level of threat they pose to public health and safety or to the environment;

- California Hazardous Materials Incident Reporting System (CHMIRS) which includes reported hazardous materials accidental releases or spills;
- The Hazardous Waste Information System (HAZNET) which includes facility and manifest data for sites that file hazardous waste manifests with the DTSC. The information contained in the database is based on manifests submitted without correction, and therefore may contain some invalid information;
- The Active UST Facilities list (CA UST) which lists registered USTs;
- The Facility Inventory Database (CA FID UST) which is an historical listing of active and inactive underground storage tank locations. Local records should contain more current information;
- The Hazardous Substance Storage Container Database (HIST UST) which is an historical listing of UST sites. Local records should contain more specific information;
- The Aboveground Petroleum Storage Tank Facilities database (AST) which lists registered ASTs;
- The Cleaner Facilities database (CLEANERS) which lists drycleaner related facilities that have EPA identification numbers; and
- Emissions Inventory Data (EMI) which includes sites for which the California Air Resources Board and local air pollution control agencies have collected toxic and criteria pollutant emission data.

LOCAL REGULATORY DATABASES

The San Francisco Department of Public Health also maintains two regulatory databases that were reviewed. These include the Local Oversight Facilities list (LOP) which includes leaking underground storage tank sites under the jurisdiction of this agency and the Underground Storage Tank Information list (SF UST) which includes sites with permitted underground storage tanks. These databases are also listed in Table C-2.

DATABASE SEARCH RESULTS

Permitted Hazardous Materials Uses, Environmental Cases, and Suspect Land Uses

An environmental database review (EDR, 2005) was conducted to identify permitted uses of hazardous materials, environmental cases, suspect land uses, and spill site where soil and/or groundwater contamination may be present within a specified distance from the project site. The distances searched varied, depending on the type of regulatory database reviewed, and are consistent with the search distances specified in ASTM Standard E 1527 - Phase I Environmental Site Assessment Standard. A description of each database reviewed and the results of the database are provided in Appendix C of this EIR. In summary,

Permitted Hazardous Materials Uses

Because the use and handling of hazardous materials at currently permitted sites are subject to strict regulation, the potential for a release of hazardous materials from these sites is considered

low unless there is a documented chemical release, in which case the site would be also tracked in the environmental databases as an environmental case. Permitted sites without documented releases are nevertheless potential sources of hazardous materials to the soil and/or groundwater because of accidental spills, incidental leakage, or spillage that may have gone undetected. Sites identified in the project vicinity appear to involve primarily photo processing chemicals and past disposal of contaminated soils, and do not appear to pose a major public health concern with regard to the project site. Further information is provided in Appendix C.

Permitted hazardous materials uses in the vicinity of the proposed project are listed in Table C-3 along with the search distances used for each database. As indicated in this table, the only Resource Conservation and Recovery Act (RCRA) large quantity generator identified within ¼ mile of the proposed project is Anchorage Enterprises located at 500 Beach Street; based on hazardous waste manifests, the primary waste disposed of from this facility was contaminated soil from site cleanups. There are five RCRA small quantity generators identified within ¼ mile of the project site. Hazardous Materials generated by Photos Now include photo processing wastes and waste oil and mixed oil, Walgreen's and Pier 49 Photo Concessions likely produce similar wastes, but this information is not provided in the database review. The General Petroleum (formerly Mobil) marine fueling dock that serves the Fisherman's Wharf fleet produces oil containing wastes, waste oil, other inorganic solid wastes and other organic solid wastes. The San Francisco Maritime National Historic Park (including Hyde Street Pier)produces photo processing wastes, hydrocarbon solvent wastes, and other inorganic wastes among others.

Environmental Cases and Suspect Land Uses

Environmental cases identified by the environmental database review are those sites suspected of releasing hazardous materials or that have had cause for hazardous materials investigations and are identified on regulatory agency lists. Identification of hazardous materials at these sites is generally due to site disturbance activities such as removal or repair of an underground storage tank (UST), a release of hazardous materials, or excavation for construction. The reported status of each environmental case varies and can be either active (on-going investigations or remediation), closed (remediation or clean-up completed and approved by the regulatory agency), or unknown. Historic permitted uses such as former coal gas sites and historic UST sites are also considered permitted hazardous materials uses, but may be sources of contamination because these historic uses of hazardous materials were not well regulated. Therefore, historic UST sites and manufactured gas plant sites are considered "suspect land uses" for this analysis and discussed in this section. There were no spills reported at the existing Wharf J-10 site, therefore spill sites are not discussed further.

The former Mobil Oil Bulk Terminal is discussed in the EIR text, Chapter III.C, beginning on p. 67. Other environmental cases are discussed below.

TABLE C-3
PERMITTED HAZARDOUS MATERIALS USES

Site No.	Site Name	Address	Environmental Database (Radius Searched) RCRIS LQG (0.25 mi)	RCRIS SQG (0.25 mi)
F29	Anchorage Enterprises LLC	500 Beach St.	X	
A1	San Francisco Maritime NHP	900 Beach St.		X
D17	Mobil Oil Marine Station	Foot of Hyde St.		X
33	Walgreen No. 5815	2801 Jones St.		X
F28	Photos Now	2800 Leavenworth St.		X
36	Pier 39 Photo Concessions	Pier 41		X

Abbreviations:
RCRIS LQG: Resource Conservation and Recovery Act Information System, Large Quantity Generator
RCRIS SQG: Resources Conservation and Recovery Act Information System, Small Quantity Generator

SOURCE: Orion Environmental Associates; EDR, 2005

Other Environmental Cases

As summarized in TableC-4, the environmental database review identified 25 LUST and/or Cortese sites within ½ mile of the proposed project as well as two formerly used defense sites (FUDS database) within one-mile; one SLIC case within ½ mile; two Notify 65 sites within one-mile; and one CERC NFRAP site within ¼ mile. Databases reviewed are described in Appendix C. Based on the proximity of cases identified, those environmental cases located within 1/8 mile of the proposed project site are considered to have the greatest potential to affect soil or groundwater quality at the project site and include:

- A Port-owned site at 490 Jefferson Street (Site No. A7). This site was identified in the leaking underground storage tank (LUST) database. The database review indicates that a release of diesel has occurred (date not specified), but only soil quality was affected.

- The Hyde Street Parking Garage at 2715 Hyde Street (Site No. 26). This site was identified in the LUST and Cortese databases. The database review indicates that a release of gasoline occurred in 1998, but only soil quality was affected. The case was closed by the regulatory agencies in 1998.

- The San Francisco National Historic Park located at 900 Beach Street (Site No. A1). This site was identified in the CORTESE database. No other information was provided.

- The PG&E Gas Plant Site located at 680 Beach Street (Site No. C18). This site was identified in the CERCLIS NFRAP database. The database review indicates that a

preliminary assessment was prepared for this site, but inclusion in this database indicates that the site was not recommended for inclusion on the National Priorities List (or Superfund list) and no further action was recommended.

Because the leaking underground storage tank sites are soil only cases, it is unlikely that soil or groundwater quality at the project site would be affected by the documented release from either of these sites. Additional information would need to be obtained to evaluate the potential for a release at the National Historic Park site to affect soil or groundwater quality at the proposed project site. Similarly, a review of historic operations at the PG&E Gas Plant Site would be needed to assess the potential for manufactured gas plant residues to be present in soil or groundwater at the proposed project site.

Suspect Land Uses

Suspect land uses located within ⅛ mile of the proposed project site include the following sites with historic USTs: Bowles Hopkins located at 765 Beach Street (Site No. 21), the San Francisco Marine Site located at 442 Jefferson Street (Site No. A1), both identified in the CA FID database; and the San Francisco Marine site located at the foot of Hyde Street (Site No. A6) identified in the HIST UST database. The Equitable Gaslight Company former manufactured gas site (described above under historic land uses) at 2800 Hyde Street (Site No. C16) was also identified in the Coal Gas database. Groundwater quality at the proposed project site could potentially be affected by a release of petroleum products to the groundwater at one of the historic UST sites, although the potential contaminants would be similar to those identified at the Former Mobil Oil Terminal. The former Equitable Gaslight Company could be a potential source of PAHs, petroleum hydrocarbons, benzene, cyanide, metals, and phenols to soil and groundwater in the project vicinity.

REFERENCES

Unless otherwise noted, all references are available for review by appointment as part of the project environmental file at the Planning Department, 1660 Mission Street, in Project File No. 2001.0636E.

Environmental Data Resources, Inc (EDR). 2005. *The EDR Radius Map with GeoCheck, Wharf J-10, Hyde Street/Jefferson Street, San Francisco, CA, 94109. Inquiry No. 01369207.1r.* February 28.

TABLE C-4
ENVIRONMENTAL CASES AND SUSPECT LAND USES

				Environmental Database (radius searched)									
				Environmental Case						Suspect Land Use			
EDR Site No.	Site Name	Address		CA SLIC (0.5 mi)	NOTIFY65 (1.0 mi)	LUST (0.5 mi)	CORTESE (0.5 mi)	FUDS (1.0 mi)	CERC NFRAP (0.25 mi)	CA FID (0.25 mi)	HIST UST (0.25 mi)	COAL GAS (1.0 mi)	Other Site Nos.
86	Fort Mason							X					
27	HUR Support Res Site							X					
120	Pacific Gas Light Co.		Bay St.									X	
K46	San Francisco Gas & Electric Co.	300	Bay St.									X	
L54	Union Oil SS #4074	490	Bay St.			X	X			X	X		L55,L56
L49	Fisherman's Wharf Shell	500	Bay St.			X				X	X		L48,L50
L44	San Francisco Housing Authority	531	Bay St.			X							
H35	Residential Apartment	784	Bay St.			X	X						
T78	CCSF Muni - Kirkland Facility	151	Beach St.			X	X						T77
60	Pacific Gas and Electric Co.	290	Beach St.									X	
K46	Metro Park/Nunzio Property X Fresco	350	Beach St.			X	X			X			K45
C18	PG&E Gas Plant San Francisco 502-1J	680	Beach St.						X				
21	Bowles Hopkins	765	Beach St.							X			
A1	San Francisco Maritime NHP	900	Beach St.				X						
Q68	Too Lee/ 520 Chestnut Property	520	Chestnut St.			X	X						Q67
Q64	Wharf Associates LLC	530	Chestnut St.			X	X						
61	Chestnut Property	650	Chestnut St.			X	X						
P63	Residential Property	1090	Chestnut St.			X	X						P62

TABLE C-4 (continued)
ENVIRONMENTAL CASES AND SUSPECT LAND USES

				Environmental Database (radius searched)									
				Environmental Case						Suspect Land Use			
EDR Site No.	Site Name	Address		CA SLIC (0.5 mi)	NOTIFY65 (1.0 mi)	LUST (0.5 mi)	CORTESE (0.5 mi)	FUDS (1.0 mi)	CERC NFRAP (0.25 mi)	CA FID (0.25 mi)	HIST UST (0.25 mi)	COAL GAS (1.0 mi)	Other Site Nos.
I38	Chevron #493 - Richard E. Mary	1196	Columbus Ave.			X	X			X	X		I37,I39
121	Pacific Gas Improvement Co.	3501	Fillmore St.									X	
O58	Galileo High School	1150	Francisco St.			X	X						
R69	Robert Naify	1275	Greenwich St.			X							
R70	Apartment	1310	Greenwich St.			X	X						
S73	Bogart Property	1400	Greenwich St.			X	X						S74
S75	Commercial Property	1405	Greenwich St.			X							
26	Hyde Street Parking Garage	2715	Hyde St.			X	X						
C16	Equitable Gas Light Co.	2800	Hyde St.									X	
A6	San Francisco Marine		Hyde St., Foot								X		
B15	Former Mobil Oil Bulk Plant	440	Jefferson St.	X		X	X						
B14	San Francisco Marine	442	Jefferson St.							X			
A7	Port of San Francisco	490	Jefferson St.			X							
R71	Residence	2460	Larkin St.			X	X						R72
R66	Residential Apartments	2495	Larkin St.			X	X						R65
N52	Estate of Bernice Marguerite B/ M&R Properties	2701	Larkin St.			X	X						N53
M59	Fixes Property	2355	Leavenworth St.			X	X						

TABLE C-4 (continued)
ENVIRONMENTAL CASES AND SUSPECT LAND USES

EDR Site No.	Site Name	Address		Environmental Database (radius searched)									Other Site Nos.
				Environmental Case						Suspect Land Use			
				CA SLIC (0.5 mi)	NOTIFY65 (1.0 mi)	LUST (0.5 mi)	CORTESE (0.5 mi)	FUDS (1.0 mi)	CERC NFRAP (0.25 mi)	CA FID (0.25 mi)	HIST UST (0.25 mi)	COAL GAS (1.0 mi)	
G30	Shell Service Station #1603/ Donlon's Automotive Service	899	North Point St.			X				X	X		G31,G32
119	We Park Garage	1641	Powell St.		X								
AB116	Mobil #10-D9C	2559	Van Ness Ave.		X	X	X						AB115
J43	Kodak Building	3250	Van Ness Ave.							X			
J40	SFFD/Support Serv/Pump Station No. 2	3299	Van Ness Ave.							X			

SOURCES: Orion Environmental Associates; EDR, 2005

Abbreviations:
CA SLIC: Spills, Leaks, Investigation, and Cleanup Cost Recovery Listing
CA FID UST: Facility Inventory Database
CERC NFRAP: Comprehensive Environmental Response, Compensation, and Liability Information System - sites recommended for no further action
COAL GAS: Coal Gas Database
CORTESE: Cortese Hazardous Waste Substance Site List
FUDS: Formerly Used Defense Site
HIST UST: Hazardous Substance Storage Container Database
LUST: Leaking Underground Storage Tank System
NOTIFY 65: Proposition 65 Records

CHAPTER IX
EIR AUTHORS AND CONSULTANTS

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PLACE
POSTAGE
HERE

San Francisco Planning Department
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Attn: Nannie Turrell, EIR Coordinator
2001.0636E: Wharf J-10 Project

PLEASE CUT ALONG DOTTED LINE

RETURN REQUEST REQUIRED FOR FINAL
ENVIRONMENTAL IMPACT REPORT

REQUEST FOR FINAL ENVIRONMENTAL IMPACT REPORT

TO: San Francisco Planning Department, Major Environmental Analysis

Check one box:

☐ Please send me a copy of the Final EIR on CD.
☐ Please send me a paper copy of the Final EIR.

Signed: _____

Print Your Name and Address in the Box Below: